

H.R. 2121: Mr. FROST, Mr. DEUTSCH, Ms. MOLINARI, Mr. BONIOR, Ms. WOOLSEY, and Mr. EVANS.

H.R. 2122: Mr. PASCRELL.

H.R. 2139: Mr. PETERSON of Minnesota, Mr. OBEY, and Mr. PETRI.

H.R. 2143: Mr. FILNER and Mr. UNDERWOOD.

H.R. 2163: Mr. BOB SCHAFFER.

H.R. 2196: Mr. SMITH of New Jersey, Mr. SAM JOHNSON, and Mr. ROYCE.

H.R. 2198: Mr. LUTHER and Mrs. MEEK of Florida.

H.R. 2200: Mr. FROST, Ms. FURSE, and Mr. GILMAN.

H. Con. Res. 80: Mr. FILNER, Mr. LEWIS OF GEORGIA, Mr. ADAM SMITH of Washington, Mr. FROST, Mr. DAVIS of Illinois, Mr. CARDIN, Mr. GILLMOR, Mr. BROWN of California, and Mr. COLLINS.

H. Con. Res. 81: Mr. GOODE, Mr. MEEHAN, Mr. TALENT, Mr. YATES, Mr. DUNCAN, Mr. LEVIN, Mrs. ROUKEMA, Mr. FOLEY, Mr. STARK, Mr. SENSENBRENNER, Mr. DINGELL, Mr. FRANKS of New Jersey, Mr. HINCHEY, Mr. WEYGAND, and Mr. NADLER.

H. Con. Res. 91: Mr. MCGOVERN and Mr. LEWIS of Georgia.

H. Con. Res. 97: Mr. LEWIS of Georgia.

H. Con. Res. 99: Mr. KENNEDY of Massachusetts.

H. Con. Res. 100: Mr. WEXLER, Mr. DINGELL, and Mr. SMITH of New Jersey.

H. Res. 166: Mr. YATES.

H. Res. 173: Mr. LEWIS of Georgia, Ms. HARMAN, Ms. JACKSON-LEE, Mr. BERMAN, Mr. ACKERMAN, and Ms. MCCARTHY of Missouri.

H. Res. 191: Mr. HERGER, Mr. SNOWBARGER, Mr. LAMPSON, Mr. CUNNINGHAM, Mr. WATTS of Oklahoma, and Mr. HULSHOF.

184.58 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2003: Mr. BERRY and Mrs. KENNELLY of Connecticut.

WEDNESDAY, JULY 23, 1997 (85)

185.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

WASHINGTON, DC,
July 23, 1997.

I hereby designate the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

185.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Tuesday, July 22, 1997.

Pursuant to clause 1, rule I, the Journal was approved.

185.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

4321. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Brucellosis in Cattle; State and Area Classifications; Iowa [Docket No. 97-036-1] received July 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4322. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Brazil, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

4323. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revised Requirements for Designation of Reference and Equivalent Methods for PM 2.5 and Ambient Air Quality Surveillance for Particulate Matter [AD-FRL-5725-6] (RIN: 2060-AE66) received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4324. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's "Major" final rule—National Ambient Air Quality Standards for Particulate Matter [AD-FRL-5725-2] (RIN: 2060-AE66) received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4325. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's "Major" final rule—National Ambient Air Quality Standards for Ozone [ADA-95-58; FRL-5725-3] (RIN: 2060-AE57) received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4326. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Nonresident Aliens and Foreign Corporations [Revenue Ruling 97-31, I.R.B. 1997-32, dated August 11, 1997] received July 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

185.4 MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2016. An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2016) "An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes", requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BURNS, Mrs. HUTCHISON, Mr. FAIRCLOTH, Mr. CRAIG, Mr. STEVENS, Mrs. MURRAY, Mr. REID, Mr. INOUE, and Mr. BYRD, to be the conferees on the part of the Senate.

185.5 PROVIDING FOR THE CONSIDERATION OF H.R. 2003

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 192):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2003) to reform the budget process and enforce the bipartisan balanced budget agreement of 1997. The bill shall be considered as read for amendment.

The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by Representative Barton of Texas or his designee and a Member opposed to the bill; and (2) one motion to recommit.

When said resolution was considered. After debate,

On motion of Mr. GOSS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

185.6 BUDGET ENFORCEMENT

Mr. CASTLE, pursuant to House Resolution 192, called up the bill (H.R. 2003) to reform the budget process and enforce the bipartisan balanced budget agreement of 1997.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

Mrs. THURMAN moved to recommit the bill to the Committee on the Budget with instructions to report the bill back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Balanced Budget Assurance Act of 1997".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

Sec. 2. Definitions.

Title I—Ensure That the Bipartisan Balanced Budget Agreement of 1997 Achieves Its Goal

Sec. 101. Timetable.

Sec. 102. Procedures to avoid sequestration or delay of new revenue reductions.

Sec. 103. Effect on Presidents' budget submissions; point of order.

Sec. 104. Deficit and revenue targets.

Sec. 105. Direct spending caps.

Sec. 106. Economic assumptions.

Sec. 107. Revisions to deficit and revenue targets and to the caps for entitlements and other mandatory spending.

Title II—Enforcement Provisions

Sec. 201. Reporting excess spending.

Sec. 202. Enforcing direct spending caps.

Sec. 203. Sequestration rules.

Sec. 204. Enforcing revenue targets.

Sec. 205. Exempt programs and activities.

Sec. 206. Special rules.

Sec. 207. The current law baseline.

Sec. 208. Limitations on emergency spending.

Title III—Use of Budget Surplus to Preserve Social Security Trust Fund

Sec. 301. Ending Use of Receipts of Social Security Trust Fund for Other Programs and Activities.

SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) ELIGIBLE POPULATION.—The term "eligible population" shall mean those individuals

to whom the United States is obligated to make a payment under the provisions of a law creating entitlement authority. Such term shall not include States, localities, corporations or other nonliving entities.

(2) **SEQUESTER AND SEQUESTRATION.**—The terms “sequester” and “sequestration” refer to or mean the cancellation of budgetary resources provided by discretionary appropriations or direct spending law.

(3) **BREACH.**—The term “breach” means, for any fiscal year, the amount (if any) by which outlays for that year (within a category of direct spending) is above that category’s direct spending cap for that year.

(4) **BASELINE.**—The term “baseline” means the projection (described in section 207) of current levels of new budget authority, outlays, receipts, and the surplus or deficit into the budget year and the outyears.

(5) **BUDGETARY RESOURCES.**—The term “budgetary resources” means new budget authority, unobligated balances, direct spending authority, and obligation limitations.

(6) **DISCRETIONARY APPROPRIATIONS.**—The term “discretionary appropriations” means budgetary resources (except to fund direct spending programs) provided in appropriation Acts. If an appropriation Act alters the level of direct spending or offsetting collections, that effect shall be treated as direct spending. Classifications of new accounts or activities and changes in classifications shall be made in consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate and with CBO and OMB.

(7) **DIRECT SPENDING.**—The term “direct spending” means—

(A) budget authority provided by law other than appropriation Acts, including entitlement authority;

(B) entitlement authority; and

(C) the food stamp program.

If a law other than an appropriation Act alters the level of discretionary appropriations or offsetting collections, that effect shall be treated as direct spending.

(8) **ENTITLEMENT AUTHORITY.**—The term “entitlement authority” means authority (whether temporary or permanent) to make payments (including loans and grants), the budget authority for which is not provided for in advance by appropriation Acts, to any person or government if, under the provisions of the law containing such authority, the United States is obligated to make such payments to persons or governments who meet the requirements established by such law.

(9) **CURRENT.**—The term “current” means, with respect to OMB estimates included with a budget submission under section 1105(a) of title 31 U.S.C., the estimates consistent with the economic and technical assumptions underlying that budget.

(10) **ACCOUNT.**—The term “account” means an item for which there is a designated budget account designation number in the President’s budget.

(11) **BUDGET YEAR.**—The term “budget year” means the fiscal year of the Government that starts on the next October 1.

(12) **CURRENT YEAR.**—The term “current year” means, with respect to a budget year, the fiscal year that immediately precedes that budget year.

(13) **OUTYEAR.**—The term “outyear” means, with respect to a budget year, any of the fiscal years that follow the budget year.

(14) **OMB.**—The term “OMB” means the Director of the Office of Management and Budget.

(15) **CBO.**—The term “CBO” means the Director of the Congressional Budget Office.

(16) **BUDGET OUTLAYS AND OUTLAYS.**—The terms “budget outlays” and “outlays” mean, with respect to any fiscal year, expenditures

of funds under budget authority during such year.

(17) **BUDGET AUTHORITY AND NEW BUDGET AUTHORITY.**—The terms “budget authority” and “new budget authority” have the meanings given to them in section 3 of the Congressional Budget and Impoundment Control Act of 1974.

(18) **APPROPRIATION ACT.**—The term “appropriation Act” means an Act referred to in section 105 of title 1 of the United States Code.

(19) **CONSOLIDATED DEFICIT.**—The term “consolidated deficit” means, with respect to a fiscal year, the amount by which total outlays exceed total receipts during that year.

(20) **SURPLUS.**—The term “surplus” means, with respect to a fiscal year, the amount by which total receipts exceed total outlays during that year.

(21) **DIRECT SPENDING CAPS.**—The term “direct spending caps” means the nominal dollar limits for entitlements and other mandatory spending pursuant to section 105 (as modified by any revisions provided for in this Act).

TITLE I—ENSURE THAT THE BIPARTISAN BALANCED BUDGET AGREEMENT OF 1997 ACHIEVES ITS GOAL

SEC. 101. TIMETABLE.

On or before:	Action to be completed:
January 15	CBO economic and budget update.
First Monday in February	President’s budget update based on new assumptions.
August 1	CBO and OMB updates.
August 15	Preview report.
Not later than November 1 (and as soon as practical after the end of the fiscal)	OMB and CBO Analyses of Deficits, Revenues and Spending Levels and Projections for the Upcoming Year.
November 1–December 15	Congressional action to avoid sequestration.
December 15	OMB issues final (look back) report for prior year and preview for current year.
December 15	Presidential sequester order or order delaying new/additional revenues reductions scheduled to take effect pursuant to reconciliation legislation enacted in calendar year 1997.

SEC. 102. PROCEDURES TO AVOID SEQUESTRATION OR DELAY OF NEW REVENUE REDUCTIONS.

(a) **SPECIAL MESSAGE.**—If the OMB Analysis of Actual Spending Levels and Projections for the Upcoming Year indicates that—

(1) deficits in the most recently completed fiscal year exceeded, or the deficits in the budget year are projected to exceed, the deficit targets in section 104, as adjusted pursuant to section 107;

(2) revenues in the most recently completed fiscal year were less than, or revenues in the current year are projected to be less than, the revenue targets in section 104, as adjusted pursuant to section 107; or

(3) outlays in the most recently completed fiscal year exceeded, or outlays in the current year are projected to exceed, the caps in section 104, as adjusted pursuant to section 107;

the President shall submit to Congress with the OMB Analysis of Actual Spending Levels and Projections for the Upcoming Year a special message that includes proposed legislative changes to—

(A) offset all or part of net deficit or outlay excess;

(B) offset all or part of any revenue shortfall; or

(C) revise the deficit or revenue targets or the outlay caps contained in this Act; through any combination of—

(i) reductions in outlays;

(ii) increases in revenues; or

(iii) increases in the deficit targets or expenditure caps, or reductions in the revenue targets, if the President submits a written determination that, because of economic or programmatic reasons, less than the entire amount of the variances from the balanced budget plan should be offset.

(b) **INTRODUCTION OF THE PRESIDENT’S PACKAGE.**—Not later than November 15, the message from the President required pursuant to subsection (a) shall be introduced as a joint resolution in the House of Representatives or the Senate by the chairman of its Committee on the Budget. If the chairman fails to do so, after November 15, the joint resolution may be introduced by any Member of that House of Congress and shall be referred to the Committee on the Budget of that House.

(c) **HOUSE COMMITTEE ACTION.**—The Committee on the Budget, in consultation with the committees of jurisdiction, or, in the case of revenue shortfalls, the Committee on Ways and Means of the House of Representatives shall, by November 15, report a joint resolution containing—

(1) the recommendations in the President’s message, or different policies and proposed legislative changes than those contained in the message of the President, to ameliorate or eliminate any excess deficits or expenditures or any revenue shortfalls; or

(2) any changes to the deficit or revenue targets or expenditure caps contained in this Act, except that any changes to the deficit or revenue targets or expenditure caps cannot be greater than the changes recommended in the message submitted by the President.

(d) **PROCEDURE IF THE APPROPRIATE COMMITTEE OF THE HOUSE OF REPRESENTATIVES FAILS TO REPORT REQUIRED RESOLUTION.**—

(1) **AUTOMATIC DISCHARGE OF COMMITTEES ON THE BUDGET OF THE HOUSE.**—If the Committee on the Budget of the House of Representatives fails, by November 20, to report a resolution meeting the requirements of subsection (c), the committee shall be automatically discharged from further consideration of the joint resolution reflecting the President’s recommendations introduced pursuant to subsection (a), and the joint resolution shall be placed on the appropriate calendar.

(2) **CONSIDERATION OF DISCHARGE RESOLUTION IN THE HOUSE.**—If the Committee has been discharged under paragraph (1) above, any Member may move that the House of Representatives consider the resolution. Such motion shall be highly privileged and not debatable. It shall not be in order to consider any amendment to the resolution except amendments which are germane and which do not change the net deficit impact of the resolution.

(e) **CONSIDERATION OF JOINT RESOLUTIONS IN THE HOUSE.**—Consideration of resolutions reported pursuant to subsection (c) or (d) shall be pursuant to the procedures set forth in section 305 of the Congressional Budget Act of 1974 and subsection (d). Notwithstanding subsection (d) and any other rule or order of the House of Representatives or the Senate, it shall be in order to consider amendments to ameliorate any excess spending or revenue shortfalls through different policies and proposed legislation and which do not change the net deficit impact of the resolution.

(f) **TRANSMITTAL TO SENATE.**—If a joint resolution passes the House of Representatives pursuant to subsection (e), the Clerk of the House of Representatives shall cause the resolution to be engrossed, certified, and transmitted to the Senate within 1 calendar day of the day on which the resolution is passed. The resolution shall be referred to the Senate Committee on the Budget.

(g) REQUIREMENTS FOR SPECIAL JOINT RESOLUTION IN THE SENATE.—The Committee on the Budget, in consultation with the committees of jurisdiction, or, in the case of revenue shortfalls, the Committee on Finance of the Senate shall report not later than December 1—

(1) a joint resolution reflecting the message of the President; or

(2) the joint resolution passed by the House of Representatives, with or without amendment; or

(3) a joint resolution containing different policies and proposed legislative changes than those contained in either the message of the President or the resolution passed by the House of Representatives, to eliminate all or part of any excess deficits or expenditures or any revenue shortfalls; or

(4) any changes to the deficit or revenue targets, or to the expenditure caps, contained in this Act, except that any changes to the deficit or revenue targets or expenditure caps cannot be greater than the changes recommended in the message submitted by the President.

(h) PROCEDURE IF THE APPROPRIATE COMMITTEE OF THE SENATE FAILS TO REPORT REQUIRED RESOLUTION.—(1) In the event that the Committee on the Budget of the Senate fails, by December 1, to report a resolution meeting the requirements of subsection (g), the committee shall be automatically discharged from further consideration of the joint resolution reflecting the President's recommendations introduced pursuant to subsection (a) and of the resolution passed by the House of Representatives, and both joint resolutions shall be placed on the appropriate calendar.

(2) Any member may move that the Senate consider the resolution passed by the House of Representatives or the resolution introduced pursuant to subsection (b).

(i) CONSIDERATION OF JOINT RESOLUTION IN THE SENATE.—Consideration of resolutions reported pursuant to subsections (c) or (d) shall be pursuant to the procedures set forth in section 305 of the Congressional Budget Act of 1974 and subsection (d).

(j) PROCEDURE IF JOINT RESOLUTION DOES NOT ELIMINATE DEFICIT EXCESS.—If the joint resolution reported by the Committee on the Budget, Way and Means, or Finance pursuant to subsection (c) or (g) or a joint resolution discharged in the House of Representatives or the Senate pursuant to subsection (d)(1) or (h) would eliminate less than—

(1) the entire amount by which actual or projected deficits exceed, or revenues fall short of, the targets in this Act; or

(2) the entire amount by which actual or projected outlays exceed the caps contained in this Act;

then the Committee on the Budget of the Senate shall report a joint resolution, raising the deficit targets or outlay caps, or reducing the revenue targets for any year in which actual or projected spending, revenues or deficits would not conform to the deficit and revenue targets or expenditure caps in this Act.

(k) CONFERENCE REPORTS SHALL FULLY ADDRESS DEFICIT EXCESS.—It shall not be in order in the House of Representatives or the Senate to consider a conference report on a joint resolution to eliminate all or part of any excess deficits or outlays or to eliminate all or part of any revenue shortfall compared to the deficit and revenue targets and the expenditure caps contained in this Act, unless—

(1) the joint resolution offsets the entire amount of any overage or shortfall; or

(2) the House of Representatives and Senate both pass the joint resolution reported pursuant to subsection (j)(2).

The vote on any resolution reported pursuant to subsection (j)(2) shall be solely on the

subject of changing the deficit or revenue targets or the expenditure limits in this Act.

SEC. 103. EFFECT ON PRESIDENTS' BUDGET SUBMISSIONS; POINT OF ORDER.

(a) BUDGET SUBMISSION.—Any budget submitted by the President pursuant to section 1105(a) of title 31, United States Code, for each of fiscal years 1998 through 2002 shall be consistent with the spending, revenue, and deficit levels established in sections 104 and 105, as adjusted pursuant to section 107, or it shall recommend changes to those levels

(b) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget unless it is consistent with the spending, revenue, and deficit levels established in sections 104 and 105, as adjusted pursuant to section 107.

SEC. 104. DEFICIT AND REVENUE TARGETS.

(a) CONSOLIDATED DEFICIT (OR SURPLUS) TARGETS.—For purposes of sections 102 and 107, the consolidated deficit targets shall be—

(1) for fiscal year 1998, \$90,500,000,000;

(2) for fiscal year 1999, \$89,700,000,000;

(3) for fiscal year 2000, \$83,000,000,000;

(4) for fiscal year 2001, \$53,300,000,000; and

(5) for fiscal year 2002, there shall be a surplus of not less than \$1,400,000,000.

(b) CONSOLIDATED REVENUE TARGETS.—For purposes of sections 102, 107, 201, and 204, the consolidated revenue targets shall be—

(1) for fiscal year 1998, \$1,601,800,000,000;

(2) for fiscal year 1999, \$1,664,200,000,000;

(3) for fiscal year 2000, \$1,728,100,000,000;

(4) for fiscal year 2001, \$1,805,100,000,000; and

(5) for fiscal year 2002, \$1,890,400,000,000.

SEC. 105. DIRECT SPENDING CAPS.

(a) IN GENERAL.—Effective upon submission of the report by OMB pursuant to subsection (c), direct spending caps shall apply to all entitlement authority except for undistributed offsetting receipts and net interest outlays, subject to adjustments for changes in eligible populations and inflation pursuant to section 107. For purposes of enforcing direct spending caps under this Act, each separate program shown in the table set forth in subsection (d) shall be deemed to be a category.

(b) BUDGET COMMITTEE REPORTS.—Within 30 days after enactment of this Act, the Budget Committees of the House of Representatives and the Senate shall file with their respective Houses identical reports containing account numbers and spending levels for each specific category.

(c) REPORT BY OMB.—Within 30 days after enactment of this Act, OMB shall submit to the President and each House of Congress a report containing account numbers and spending limits for each specific category.

(d) CONTENTS OF REPORTS.—All direct spending accounts not included in these reports under separate categories shall be included under the heading "Other Entitlements and Mandatory Spending". These reports may include adjustments among the caps set forth in this Act as required below, however the aggregate amount available under the "Total Entitlements and Other Mandatory Spending" cap shall be identical in each such report and in this Act and shall be deemed to have been adopted as part of this Act. Each such report shall include the actual amounts of the caps for each year of fiscal years 1998 through 2002 consistent with the concurrent resolution on the budget for FY 1998 for each of the following categories:

Earned Income Tax Credit,

Family Support,

Civilian and other Federal retirement:

Military retirement,

Food stamps,

Medicaid,

Medicare,

Social security.

Supplemental security income,

Unemployment compensation,

Veterans' benefits,

Other entitlements and mandatory spending, and

Aggregate entitlements and other mandatory spending.

(e) ADDITIONAL SPENDING LIMITS.—Legislation enacted subsequent to this Act may include additional caps to limit spending for specific programs, activities, or accounts with these categories. Those additional caps (if any) shall be enforced in the same manner as the limits set forth in such joint explanatory statement.

SEC. 106. ECONOMIC ASSUMPTIONS.

Subject to periodic reestimation based on changed economic conditions or changes in eligible population, determinations of the direct spending caps under section 105, any breaches of such caps, and actions necessary to remedy such breaches shall be based upon the economic assumptions set forth in the joint explanatory statement of managers accompanying the concurrent resolution on the budget for fiscal year 1998 (House Concurrent Resolution 84, 105th Congress). At the same time as the submission of the report by OMB pursuant to section 104(c), OMB shall submit to the President and Congress a report setting forth the economic assumptions in the joint explanatory statement of managers accompanying the concurrent resolution on the budget for fiscal year 1998 and the assumptions regarding eligible populations used in preparing the report submitted pursuant to section 104(c).

SEC. 107. REVISIONS TO DEFICIT AND REVENUE TARGETS AND TO THE CAPS FOR ENTITLEMENTS AND OTHER MANDATORY SPENDING.

(a) AUTOMATIC ADJUSTMENTS TO DEFICIT AND REVENUE TARGETS AND TO CAPS FOR ENTITLEMENTS AND OTHER MANDATORY SPENDING.—When the President submits the budget under section 1105(a) of title 31, United States Code, and upon submission of the OMB report pursuant to section 201(a) for any year, OMB shall calculate (in the order set forth below), and the budget and reports shall include, adjustments to the deficit and revenue targets, and to the direct spending caps (and those limits as cumulatively adjusted) for the current year, the budget year, and each outyear, to reflect the following:

(1) CHANGES TO REVENUE TARGETS.—

(A) CHANGES IN GROWTH.—For Federal revenues and deficits under laws and policies enacted or effective before July 1, 1997, growth adjustment factors shall equal the ratio between the level of year-over-year Gross Domestic Product, as adjusted by the chain-weighted GDP deflator measured for the fiscal year most recently completed and the applicable estimated level for that year as described in section 106.

(B) CHANGES IN INFLATION.—For Federal revenues and deficits under laws and policies enacted or effective before July 1, 1997, inflation adjustment factors shall equal the ratio between the level of year-over-year change in the Consumer Price Index measured for the fiscal year most recently completed and the applicable estimated level for that year as described in section 106.

(2) ADJUSTMENTS TO DIRECT SPENDING CAPS.—

(A) CHANGES IN CONCEPTS AND DEFINITIONS.—The adjustments produced by changes in concepts and definitions shall equal the baseline levels of new budget authority and outlays using up-to-date concepts and definitions minus those levels using the concepts and definitions in effect before such changes. Such changes in concepts and definitions may only be made in consultation with the Committees on Appropriations, the Budget, and Government Re-

form and Oversight and Governmental Affairs of the House of Representatives and the Senate.

(B) CHANGES IN NET OUTLAYS.—Changes in net outlays for all programs and activities exempt from sequestration under section 204.

(C) CHANGES IN INFLATION.—For direct spending under laws and policies enacted or effective on or before July 1, 1997, inflation adjustment factors shall equal the ratio between the level of year-over-year change in the Consumer Price Index measured for the fiscal year most recently completed and the applicable estimated level for that year as described in section 106 (relating to economic assumptions). For direct spending under laws and policies enacted or effective after July 1, 1997, there shall be no adjustment to the direct spending caps (for changes in economic conditions including inflation, nor for changes in numbers of eligible beneficiaries) unless—

(i) the Act or the joint explanatory statement of managers accompanying such Act providing new direct spending includes economic projections and projections of numbers of beneficiaries; and

(ii) such Act specifically provides for automatic adjustments to the direct spending caps in section 105 based on those projections.

(D) CHANGES IN ELIGIBLE POPULATIONS.—For direct spending under laws and policies enacted or effective on or before July 1, 1997, the direct spending caps shall be adjusted to reflect changes in eligible populations, based on the assumptions set forth in the OMB report submitted pursuant to section 106. In making such adjustments, OMB shall estimate the changes in spending resulting from the change in eligible populations. For direct spending under laws and policies enacted or effective after July 1, 1997, there shall be no adjustment to the direct spending caps for changes in numbers of eligible beneficiaries unless—

(i) the Act or the joint explanatory statement of managers accompanying such Act providing new direct spending includes economic projections and projections of numbers of beneficiaries; and

(ii) such Act specifically provides for automatic adjustments to the direct spending caps in section 105 based on those projections.

(E) INTRA-BUDGETARY PAYMENTS.—From discretionary accounts to mandatory accounts. The baseline and the discretionary spending caps shall be adjusted to reflect those changes.

(b) CHANGES TO DEFICIT TARGETS.—The deficit targets in section 104 shall be adjusted to reflect changes to the revenue targets or changes to the caps for entitlements and other mandatory spending pursuant to subsection (a).

(c) PERMISSIBLE REVISIONS TO DEFICIT AND REVENUE TARGETS AND DIRECT SPENDING CAPS.—Deficit and revenue targets and direct spending caps as enacted pursuant to sections 104 and 105 may be revised as follows: Except as required pursuant to subsection (a) and (b), deficit, revenue, and direct spending caps may only be adjusted by recorded vote. It shall be a matter of highest privilege in the House of Representatives and the Senate for a Member of the House of Representatives or the Senate to insist on a recorded vote solely on the question of amending such caps. It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution waiving the provisions of this subsection. This subsection may be waived in the Senate only by an affirmative vote of three-fifths of the Members duly chosen and sworn.

TITLE II—ENFORCEMENT PROVISIONS

SEC. 201. REPORTING EXCESS SPENDING.

(a) ANALYSIS OF ACTUAL DEFICIT, REVENUE, AND SPENDING LEVELS.—As soon as practicable after any fiscal year, OMB shall compile a statement of actual and projected deficits, revenues, and direct spending for that year and the current fiscal year. The statement shall identify such spending by categories contained in section 105.

(b) ESTIMATE OF NECESSARY SPENDING REDUCTION.—Based on the statement provided under subsection (a), the OMB shall issue a report to the President and the Congress on December 15 of any year in which such statement identifies actual or projected deficits, revenues, or spending in the current or immediately preceding fiscal years in violation of the revenue targets or direct spending caps in section 104 or 105, as adjusted pursuant to section 107, by more than one-tenth of one percent of the applicable total revenues or direct spending for such year. The report shall include:

(1) The amount, if any, that total direct spending exceeded, or is projected to exceed, the aggregate direct spending cap in section 105, as adjusted pursuant to section 107.

(2) All instances in which actual direct spending has exceeded the applicable direct spending cap.

(3) The difference between the amount of spending available under the direct spending caps for the current year and estimated actual spending for the categories associated with such caps.

(4) The amounts by which direct spending shall be reduced in the current fiscal year to offset the net amount that actual direct spending in the preceding fiscal year and projected direct spending in the current fiscal year exceeds the amounts available for each cap category.

SEC. 202. ENFORCING DIRECT SPENDING CAPS.

(a) PURPOSE.—This subtitle provides enforcement of the direct spending caps on categories of spending established pursuant to section 105. This section shall apply for any fiscal year in which the statement provided under section 201 identifies actual direct spending in the preceding fiscal year or projected direct spending in the current year in excess of the aggregate direct spending cap, as adjusted pursuant to section 107.

(b) GENERAL RULES.—

(1) ELIMINATING A BREACH.—Each non-exempt account within a category shall be reduced by a dollar amount calculated by multiplying the baseline level of sequestrable budgetary resources in that account at that time by the uniform percentage necessary to eliminate a breach within that category.

(2) PROGRAMS, PROJECTS, OR ACTIVITIES.—Except as otherwise provided, the same percentage sequestration shall apply to all programs, projects and activities within a budget account.

(3) INDEFINITE AUTHORITY.—Except as otherwise provided, sequestration in accounts for which obligations are indefinite shall be taken in a manner to ensure that obligations in the fiscal year of a sequestration and succeeding fiscal years are reduced, from the level that would actually have occurred, by the applicable sequestration percentage or percentages.

(4) CANCELLATION OF BUDGETARY RESOURCES.—Budgetary resources sequestered from any account other than an trust, special or revolving fund shall revert to the Treasury and be permanently canceled.

(5) IMPLEMENTING REGULATIONS.—Notwithstanding any other provision of law, administrative rules or similar actions implementing any sequestration shall take effect within 30 days after that sequestration.

SEC. 203. SEQUESTRATION RULES.

(a) GENERAL RULES.—For programs subject to direct spending caps:

(1) TRIGGERING OF SEQUESTRATION.—Sequestration is triggered if total direct spending subject to the caps in the preceding fiscal year and projected direct spending subject to the caps in the current fiscal year exceeds the total of aggregate caps for direct spending for the current and immediately preceding fiscal year.

(2) CALCULATION OF REDUCTIONS.—The amount to be sequestered from direct spending programs under each separate cap shall be determined by multiplying the total amount that direct spending in that category exceeded or is projected to exceed the direct spending cap for that category by—

(A) the net amount that total direct spending exceeded, or is projected to exceed, the aggregate spending caps, as identified pursuant to paragraph 201(b)(1); multiplied by

(B) the net amount that direct spending by which the category exceeded and is projected to exceed the direct spending cap for that category, divided by the net amount that total spending exceeded and is projected to exceed the applicable direct spending cap for all categories in which spending exceeds the applicable direct spending caps.

(3) UNIFORM PERCENTAGES.—In calculating the uniform percentage applicable to the sequestration of all spending programs or activities within each category, or the uniform percentage applicable to the sequestration of nonexempt direct spending programs or activities, the sequestrable base for direct spending programs and activities is the total level of outlays for the fiscal year for those programs or activities in the current law baseline.

(4) PERMANENT SEQUESTRATION OF DIRECT SPENDING.—Obligations in sequestered direct spending accounts shall be reduced in the fiscal year in which a sequestration occurs and in all succeeding fiscal years. Notwithstanding any other provision of this section, after the first direct spending sequestration, any later sequestration shall reduce direct spending by an amount in addition to, rather than in lieu of, the reduction in direct spending in place under the existing sequestration or sequestrations.

(5) SPECIAL RULE.—For any direct spending program in which—

(A) outlays pay for entitlement benefits;

(B) a current-year sequestration takes effect after the 1st day of the budget year;

(C) that delay reduces the amount of entitlement authority that is subject to sequestration in the budget; and

(D) the uniform percentage otherwise applicable to the budget-year sequestration of a program or activity is increased due to the delay;

then the uniform percentage shall revert to the uniform percentage calculated under paragraph (3) when the budget year is completed.

(6) INDEXED BENEFIT PAYMENTS.—If, under any entitlement program—

(A) benefit payments are made to persons or governments more frequently than once a year; and

(B) the amount of entitlement authority is periodically adjusted under existing law to reflect changes in a price index (commonly called "cost of living adjustments");

sequestration shall first be applied to the cost of living adjustment before reductions are made to the base benefit. For the first fiscal year to which a sequestration applies, the benefit payment reductions in such programs accomplished by the order shall take effect starting with the payment made at the beginning of January following a final sequester. For the purposes of this subsection, veterans' compensation shall be considered a program that meets the conditions of the preceding sentence.

(7) LOAN PROGRAMS.—For all loans made, extended, or otherwise modified on or after any sequestration under loan programs subject to direct spending caps—

(A) the sequesterable base shall be total fees associated with all loans made extended or otherwise modified on or after the date of sequestration; and

(B) the fees paid by borrowers shall be increased by a uniform percentage sufficient to produce the dollar savings in such loan programs for the fiscal year or years of the sequestrations required by this section.

Notwithstanding any other provision of law, in any year in which a sequestration is in effect, all subsequent fees shall be increased by the uniform percentage and all proceeds from such fees shall be paid into the general fund of the Treasury.

(8) INSURANCE PROGRAMS.—Any sequestration of a Federal program that sells insurance contracts to the public (including the Federal Crop Insurance Fund, the National Insurance Development Fund, the National Flood Insurance Fund, insurance activities of the Overseas Private Insurance Corporation, and Veterans' Life Insurance programs) shall be accomplished by increasing premiums on contracts entered into extended or otherwise modified, after the date a sequestration order takes effect by the uniform sequestration percentage. Notwithstanding any other provision of law, for any year in which a sequestration affecting such programs is in effect, subsequent premiums shall be increased by the uniform percentage and all proceeds from the premium increase shall be paid from the insurance fund or account to the general fund of the Treasury.

(9) STATE GRANT FORMULAS.—For all State grant programs subject to direct spending caps—

(A) the total amount of funds available for all States shall be reduced by the amount required to be sequestered; and

(B) if States are projected to receive increased funding in the budget year compared to the immediately preceding fiscal year, sequestration shall first be applied to the estimated increases before reductions are made compared to actual payments to States in the previous year—

(i) the reductions shall be applied first to the total estimated increases for all States; then

(ii) the uniform reduction shall be made from each State's grant; and

(iii) the uniform reduction shall apply to the base funding levels available to states in the immediately preceding fiscal year only to the extent necessary to eliminate any remaining excess over the applicable direct spending cap.

(10) SPECIAL RULE FOR CERTAIN PROGRAMS.—Except matters exempted under section 205 and programs subject to special rules set forth under section 206 and notwithstanding any other provisions of law, any sequestration required under this Act shall reduce benefit levels by an amount sufficient to eliminate all excess spending identified in the report issued pursuant to section 201, while maintaining the same uniform percentage reduction in the monetary value of benefits subject to reduction under this subsection.

(b) WITHIN-SESSION SEQUESTER.—If a bill or resolution providing direct spending for the current year is enacted before July 1 of that fiscal year and causes a breach within any direct spending cap for that fiscal year, 15 days later there shall be a sequestration to eliminate that breach within that cap.

SEC. 204. ENFORCING REVENUE TARGETS.

(a) PURPOSE.—This section enforces the revenue targets established pursuant to section 104. This section shall apply for any year in which actual revenues in the pre-

ceding fiscal year or projected revenues in the current year are less than the applicable revenue target, as adjusted pursuant to section 107.

(b) ESTIMATE OF NECESSITY TO SUSPEND NEW REVENUE REDUCTIONS.—Based on the statement provided under section 201(a), OMB shall issue a report to the President and the Congress on December 15 of any year in which such statement identifies actual or projected revenues in the current or immediately preceding fiscal years lower than the applicable revenue target in section 104, as adjusted pursuant to section 107, by more than 0.1 percent of the applicable total revenue target for such year. The report shall include—

(1) all laws and policies described in subsection (c) which would cause revenues to decline in the calendar year which begins January 1 compared to the provisions of law in effect on December 15;

(2) the amounts by which revenues would be reduced by implementation of the provisions of law described in paragraph (1) compared to provisions of law in effect on December 15; and

(3) whether delaying implementation of the provisions of law described in paragraph (1) would cause the total for revenues in the current fiscal year and actual revenues in the immediately preceding fiscal year to equal or exceed the total of the targets for the applicable years.

(c) NO CREDITS, DEDUCTIONS, EXCLUSIONS, PREFERENTIAL RATE OF TAX, ETC.—(1) If any provision of the Internal Revenue Code of 1986 added by the Revenue Reconciliation Act of 1997 establishing or increasing any credit, deduction, exclusion, or eligibility limit or reducing any rate would (but for this section) first take effect in a tax benefit suspension year, and would reduce revenues over the 5-year period beginning with the tax benefit suspension year, such provision shall not take effect until the first calendar year which is not a tax benefit suspension year.

(2) SUSPENSION OF INDEXATION.—No new adjustment for inflation shall be made to any credit, deduction, or exclusion enacted as part of the Revenue Reconciliation Act of 1997 in a tax benefit suspension year.

(d) END OF SESSION.—If the OMB report issued under subsection (a) indicates that the total revenues projected in the current year and actual revenues in the immediately preceding year will equal or exceed the applicable targets, the President shall sign an order ending the delayed phase-in of new tax cuts effective January 1. Such order shall provide that the new tax cuts and adjustments for inflation shall take effect as if the provisions of this section had not taken effect.

(e) SUSPENSION OF NEW BENEFITS BEING PHASED IN.—If, under any provision of the Internal Revenue Code of 1986 added by the Revenue Reconciliation Act of 1997, there is an increase in any benefit which would (but for this section) take effect with respect to a tax benefit suspension year, in lieu of applying subsection (c)—

(1) any increase in the benefit under such section with respect to such year and each subsequent calendar year shall be delayed 1 calendar year, and

(2) the level of benefit under such section with respect to the prior calendar year shall apply to such tax benefit suspension year.

(f) PERCENTAGE SUSPENSION WHERE FULL SUSPENSION UNNECESSARY TO ACHIEVE REVENUE TARGET.—If the application of subsections (c), (d), and (e) to any tax benefit suspension year would result in total revenues in the current year to equal or exceed the targets described in section 104 such that the amount of each benefit which is denied is only the percentage of such benefit which is necessary to result in revenues equal to such

target. Such percentage shall be determined by OMB, and the same percentage shall apply to such benefits.

(g) TAX BENEFIT SUSPENSION YEAR.—For purposes of this section, the term "tax benefit suspension year" means any calendar year if the statement issued under subsection (b) during the preceding calendar year indicates that—

(1) for the fiscal year ending in such preceding calendar year, actual revenues were lower than the applicable revenue target in section 104, as adjusted pursuant to section 106, for such fiscal year by more than 1 percent of such target, or

(2) for the fiscal year beginning in such preceding calendar year, projected revenues (determined without regard to this section) are estimated to be lower than the applicable revenue target in section 104, as adjusted pursuant to section 106, for such fiscal year by more than 0.1 percent of such target.

SEC. 205. EXEMPT PROGRAMS AND ACTIVITIES.

The following budget accounts, activities within accounts, or income shall be exempt from sequestration—

- (1) net interest;
- (2) all payments to trust funds from excise taxes or other receipts or collections properly creditable to those trust funds;
- (3) offsetting receipts and collections;
- (4) all payments from one Federal direct spending budget account to another Federal budget account;
- (5) all intragovernmental funds including those from which funding is derived primarily from other Government accounts;
- (6) expenses to the extent they result from private donations, bequests, or voluntary contributions to the Government;
- (7) nonbudgetary activities, including but not limited to—

- (A) credit liquidating and financing accounts;
- (B) the Pension Benefit Guarantee Corporation Trust Funds;
- (C) the Thrift Savings Fund;
- (D) the Federal Reserve System; and
- (E) appropriations for the District of Columbia to the extent they are appropriations of locally raised funds;
- (8) payments resulting from Government insurance, Government guarantees, or any other form of contingent liability, to the extent those payments result from contractual or other legally binding commitments of the Government at the time of any sequestration;

(9) the following accounts, which largely fulfill requirements of the Constitution or otherwise make payments to which the Government is committed—

- Bureau of Indian Affairs, miscellaneous trust funds, tribal trust funds (14-9973-0-7-999);
- Claims, defense;
- Claims, judgments and relief act (20-1895-0-1-806);
- Compact of Free Association, economic assistance pursuant to Public Law 99-658 (14-0415-0-1-806);
- Compensation of the President (11-0001-0-1-802);
- Customs Service, miscellaneous permanent appropriations (20-9992-0-2-852);
- Eastern Indian land claims settlement fund (14-2202-0-1-806);
- Farm Credit System Financial Assistance Corporation, interest payments (20-1850-0-1-351);
- Internal Revenue collections of Puerto Rico (20-5737-0-2-852);
- Payments of Vietnam and USS Pueblo prisoner-of-war claims (15-0104-0-1-153);
- Payments to copyright owners (03-5175-0-2-376);
- Salaries of Article III judges (not including cost of living adjustments);

Soldier's and Airman's Home, payment of claims (84-8930-0-7-705);

Washington Metropolitan Area Transit Authority, interest payments (46-0300-0-1-401);

(10) the following noncredit special, revolving, or trust-revolving funds—

Exchange Stabilization Fund (20-4444-0-3-155); and

Foreign Military Sales trust fund (11-82232-0-7-155).

SEC. 206. SPECIAL RULES.

(a) CHILD SUPPORT ENFORCEMENT PROGRAM.—Any sequestration order shall accomplish the full amount of any required reduction in payments under sections 455 and 458 of the Social Security Act by reducing the Federal matching rate for State administrative costs under the program, as specified (for the fiscal year involved) in section 455(a) of such Act, to the extent necessary to reduce such expenditures by that amount.

(b) COMMODITY CREDIT CORPORATION.—

(1) EFFECTIVE DATE.—For the Commodity Credit Corporation, the date on which a sequestration order takes effect in a fiscal year shall vary for each crop of a commodity. In general, the sequestration order shall take effect when issued, but for each crop of a commodity for which 1-year contracts are issued as an entitlement, the sequestration order shall take effect with the start of the sign-up period for that crop that begins after the sequestration order is issued. Payments for each contract in such a crop shall be reduced under the same terms and conditions.

(2) DAIRY PROGRAM.—

(A) As the sole means of achieving any reduction in outlays under the milk price-support program, the Secretary of Agriculture shall provide for a reduction to be made in the price received by producers for all milk in the United States and marketed by producers for commercial use.

(B) That price reduction (measured in cents per hundred-weight of milk marketed) shall occur under subparagraph (A) of section 201(d)(2) of the Agricultural Act of 1949 (7 U.S.C. 1446(d)(2)(A)), shall begin on the day any sequestration order is issued, and shall not exceed the aggregate amount of the reduction in outlays under the milk price-support program, that otherwise would have been achieved by reducing payments made for the purchase of milk or the products of milk under this subsection during that fiscal year.

(3) CERTAIN AUTHORITY NOT TO BE LIMITED.—Nothing in this Act shall restrict the Corporation in the discharge of its authority and responsibility as a corporation to buy and sell commodities in international trade, or limit or reduce in any way any appropriation that provides the Corporation with funds to cover its realized losses.

(c) EARNED INCOME TAX CREDIT.—

(1) The sequestrable base for earned income tax credit program is the dollar value of all current year benefits to the entire eligible population.

(2) In the event sequestration is triggered to reduce earned income tax credits, all earned income tax credits shall be reduced, whether or not such credits otherwise would result in cash payments to beneficiaries, by a uniform percentage sufficient to produce the dollar savings required by the sequestration.

(d) REGULAR AND EXTENDED UNEMPLOYMENT COMPENSATION.—

(1) A State may reduce each weekly benefit payment made under the regular and extended unemployment benefit programs for any week of unemployment occurring during any period with respect to which payments are reduced under any sequestration order by a percentage not to exceed the percentage by which the Federal payment to the State is to be reduced for such week as a result of such order.

(2) A reduction by a State in accordance with paragraph (1) shall not be considered as a failure to fulfill the requirements of section 3304(a)(11) of the Internal Revenue Code of 1986.

(e) FEDERAL EMPLOYEES HEALTH BENEFITS FUND.—For the Federal Employees Health Benefits Fund, a sequestration order shall take effect with the next open season. The sequestration shall be accomplished by annual payments from that Fund to the General Fund of the Treasury. Those annual payments shall be financed solely by charging higher premiums. The sequestrable base for the Fund is the current-year level of gross outlays resulting from claims paid after the sequestration order takes effect.

(f) FEDERAL HOUSING FINANCE BOARD.—Any sequestration of the Federal Housing Board shall be accomplished by annual payments (by the end of each fiscal year) from that Board to the general fund of the Treasury, in amounts equal to the uniform sequestration percentage for that year times the gross obligations of the Board in that year.

(g) FEDERAL PAY.—

(1) IN GENERAL.—New budget authority to pay Federal personnel from direct spending accounts shall be reduced by the uniform percentage calculated under section 203(c)(3), as applicable, but no sequestration order may reduce or have the effect of reducing the rate of pay to which any individual is entitled under any statutory pay system as increased by any amount payable under section 5304 of title 5, United States Code, or any increase in rates of pay which is scheduled to take effect under section 5303 of title 5, United States Code, section 1109 of title 37, United States Code, or any other provision of law.

(2) DEFINITIONS.—For purposes of this subsection—

(A) the term “statutory pay system” shall have the meaning given that term in section 5302(1) of title 5, United States Code; term “elements of military pay” means—

(i) the elements of compensation of members of the uniformed services specified in section 1009 of title 37, United States Code;

(ii) allowances provided members of the uniformed services under sections 403(a) and 405 of such title; and

(iii) cadet pay and midshipman pay under section 203(c) of such title; and

(C) the term “uniformed services” shall have the same meaning given that term in section 101(3) of title 37, United States Code.

(h) MEDICARE.—

(1) IN GENERAL.—Any sequestration shall accomplish 90% of the required reduction by reductions in payments for services under title XVIII of the Social Security Act and +10% of the required reduction through increases in beneficiary premiums under part B of title XVIII of the Social Security Act.

(2) TIMING OF APPLICATION OF REDUCTIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), if a reduction is made in payment amounts pursuant to sequestration order, the reduction shall be applied to payment for services furnished after the effective date of the order. For purposes of the previous sentence, in the case of inpatient services furnished for an individual, the services shall be considered to be furnished on the date of the individual's discharge from the inpatient facility.

(B) PAYMENT ON THE BASIS OF COST REPORTING PERIODS.—In the case in which payment for services of a provider of services is made under title XVIII of the Social Security Act on a basis relating to the reasonable cost incurred for the services during a cost reporting period of the provider, if a reduction is made in payment amounts pursuant to a sequestration order, the reduction shall be applied to payment for costs for such services incurred at any time during each cost re-

porting period of the provider any part of which occurs after the effective date of order, but only (for each such cost reporting period) in the same proportion as the fraction of the cost reporting period that occurs after the effective date of the order.

(3) NO INCREASE IN BENEFICIARY CHARGES IN ASSIGNMENT-RELATED CASES.—If a reduction in payment amounts is made pursuant to a sequestration order for services for which payment under part B of title XVIII of the Social Security Act is made on the basis of an assignment described in section 1842(b)(3)(B)(ii), in accordance with section 1842(b)(6)(B), or under the procedure described in section 1870(f)(1) of such Act, the person furnishing the services shall be considered to have accepted payment of the reasonable charge for the services, less any reduction in payment amount made pursuant to a sequestration order, as payment in full.

(4) PART B PREMIUMS.—In computing the amount and method, part B premiums shall be increased by a percentage to be determined by dividing 10% of the amount that medicare spending exceeds the applicable cap by the total amount of all premium collections. All beneficiary premiums shall be increased by the percentage calculated pursuant to the preceding sentence, except that no increase in the premium shall result in a reduction in social security benefit payments to any beneficiary.

(5) NO EFFECT ON COMPUTATION OF AAPCC.—In computing the adjusted average per capita cost for purposes of section 1876(a)(4) of the Social Security Act, the Secretary of Health and Human Services shall not take into account any reductions in payment amounts which have been or may be effected under this part.

(i) POSTAL SERVICE FUND.—Any sequestration of the Postal Service Fund shall be accomplished by annual payments from that Fund to the General Fund of the Treasury, and the Postmaster General of the United States and shall have the duty to make those payments during the first fiscal year to which the sequestration order applies and each succeeding fiscal year. The amount of each annual payment shall be—

(1) the uniform sequestration percentage, times

(2) the estimated gross obligations of the Postal Service Fund in that year other than those obligations financed with an appropriation for revenue forgone that year.

Any such payment for a fiscal year shall be made as soon as possible during the fiscal year, except that it may be made in installments within that year if the payment schedule is approved by the Secretary of the Treasury. Within 30 days after the sequestration order is issued, the Postmaster General shall submit to the Postal Rate Commission a plan for financing the annual payment for that fiscal year and publish that plan in the Federal Register. The plan may assume efficiencies in the operation of the Postal Service, reductions in capital expenditures, increases in the prices of services, or any combination, but may not assume a lower Fund surplus or higher Fund deficit and shall follow the requirements of existing law governing the Postal Service in all other respects. Within 30 days of the receipt of that plan, the Postal Rate Commission shall approve the plan or modify it in the manner that modifications are allowed under current law. If the Postal Rate Commission does not respond to the plan within 30 days, the plan submitted by the Postmaster General shall go into effect. Any plan may be later revised by the submission of a new plan to the Postal Rate Commission, which may approve or modify it.

(j) POWER MARKETING ADMINISTRATIONS AND T.V.A.—Any sequestration of the De-

partment of Energy power marketing administration funds or the Tennessee Valley Authority fund shall be accomplished by annual payments from those funds to the General Fund of the Treasury, and the administrators of those funds shall have the duty to make those payments during the fiscal year to which the sequestration order applies and each succeeding fiscal year. The amount of each payment by a fund shall be—

(1) the direct spending uniform sequestration percentage, times

(2) the estimated gross obligations of the fund in that year other than those obligations financed from discretionary appropriations for that year.

Any such payment for a fiscal year shall be made as soon as possible during the fiscal year, except that it may be made in installments within that year if the payment schedule is approved by the Secretary of the Treasury. Annual payments by a fund may be financed by reductions in costs required to produce the pre-sequester amount of power (but those reductions shall not include reductions in the amount of power supplied by the fund), by reductions in capital expenditures, by increases in tax rates, or by any combination, but may not be financed by a lower fund surplus, a higher fund deficit, additional borrowing, delay in repayment of principal on outstanding debt and shall follow the requirements of existing law governing the fund in all other respects. The administrator of a fund or the TVA Board is authorized to take the actions specified in this subsection in order to make the annual payments to the Treasury.

(k) **BUSINESS-LIKE TRANSACTIONS.**—Notwithstanding any other provision of law, for programs which provide a business-like service in exchange for a fee, sequestration shall be accomplished through a uniform increase in fees (sufficient to produce the dollar savings in such programs for the fiscal year of the sequestration required by section 201(a)(2)), all subsequent fees shall be increased by the same percentage, and all proceeds from such fees shall be paid into the general fund of the Treasury, in any year for which a sequester affecting such programs are in effect.

SEC. 207. THE CURRENT LAW BASELINE.

(a) **SUBMISSION OF REPORTS.**—CBO and OMB shall submit to the President and the Congress reports setting forth the budget baselines for the budget year and the next nine fiscal years. The CBO report shall be submitted on or before January 15. The OMB report shall accompany the President's budget.

(b) **DETERMINATION OF THE BUDGET BASELINE.**—(1) The budget baseline shall be based on the common economic assumptions set forth in section 106, adjusted to reflect revisions pursuant to subsection (c).

(2) The budget baseline shall consist of a projection of current year levels of budget authority, outlays, revenues and the surplus or deficit into the budget year and the relevant outyears based on current enacted laws as of the date of the projection.

(3) For discretionary spending items, the baseline shall be the spending caps in effect pursuant to section 601(a)(2) of the Congressional Budget Act of 1974. For years for which there are no caps, the baseline for discretionary spending shall be the same as the last year for which there were statutory caps.

(4) For all other expenditures and for revenues, the baseline shall be adjusted by comparing unemployment, inflation, interest rates, growth and eligible population for the most recent period for which actual data are available, compared to the assumptions contained in section 107.

(c) **REVISIONS TO THE BASELINE.**—The baseline shall be adjusted for up-to-date eco-

nomic assumptions for all reports issued pursuant to section 107 of this Act and section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 208. LIMITATIONS ON EMERGENCY SPENDING.

(a) **IN GENERAL.**—(1) Within the discretionary caps for each fiscal year contained in this Act, an amount shall be withheld from allocation to the appropriate committees of the House of Representatives and of the Senate and reserved for natural disasters and other emergency purposes.

(2) Such amount for each such fiscal year shall not be less than 1 percent of total budget authority and outlays available within those caps for that fiscal year.

(3) No adjustments shall be made to the discretionary spending limits under section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 unless the amount appropriated for discretionary accounts that have been designated as emergency requirements exceed the amount reserved pursuant to paragraph (1). Any adjustment shall be limited to the amount that total appropriations designated as emergency requirements for the fiscal year exceeds the amount reserved pursuant to paragraph (1).

(4) The amounts reserved pursuant to this subsection shall be made available for allocation to such committees only if—

(A) the President has made a request for such disaster funds;

(B) the programs to be funded are included in such request; and

(C) the projected obligations for unforeseen emergency needs exceed the 10-year rolling average annual expenditures for existing programs included in the Presidential request for the applicable fiscal year.

(5) Notwithstanding any other provision of law—

(A) States and localities shall be required to maintain effort and ensure that Federal assistance payments do not replace, subvert or otherwise have the effect of reducing regularly budgeted State and local expenditures for law enforcement, firefighting, road construction and maintenance, building construction and maintenance or any other category of regular government expenditure (to ensure that Federal disaster payments are made only for incremental costs directly attributable to unforeseen disasters, and do not replace or reduce regular State and local expenditures for the same purposes);

(B) the President may not take administrative action to waive any requirement for States or localities to make minimum matching payments as a condition or receiving Federal disaster assistance or take administrative action to waive all or part of any repayment of Federal loans for the State or local matching share required as a condition of receiving Federal disaster assistance. This clause shall apply to all matching share requirements and loans to meet matching share requirements under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and any other Acts pursuant to which the President may declare a disaster or disasters and States and localities otherwise qualify for Federal disaster assistance; and

(C) a two-thirds vote in each House of Congress shall be required for each emergency to reduce or waive the State matching requirement or to forgive all or part of loans for the State matching share as required under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(b) **EFFECT BUDGET RESOLUTIONS.**—(1) All concurrent resolutions on the budget (including revisions) shall specify the amount of new budget authority and outlays within the discretionary spending cap that shall be

withheld from allocation to the committees and reserved for natural disasters, and a procedure for releasing such funds for allocation to the appropriate committee. The amount withheld shall be equal to 1 percent of the total discretionary spending cap for fiscal year covered by the resolution, unless additional amounts are specified.

(2) The procedure for allocation of the amounts pursuant to paragraph (1) shall ensure that the funds are released for allocation only pursuant to the conditions contained in subsection (a)(3)(A) through (C).

(c) **RESTRICTION ON USE OF FUNDS.**—Notwithstanding any other provision of law, the amount reserved pursuant to subsection (a) shall not be available for other than emergency funding requirements for particular natural disasters or national security emergencies so designated by Acts of Congress.

(d) **NEW POINT OF ORDER.**—(1) Title IV of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

"POINT OF ORDER REGARDING EMERGENCIES

"SEC. 408. It shall not be in order in the House of Representatives or the Senate to consider any bill or joint resolution, or amendment thereto or conference report thereon, containing an emergency designation for purposes of section 251(b)(2)(D) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 or of section 208 of the Budget Enforcement Act of 1997 if it also provides an appropriation or direct spending for any other item or contains any other matter, but that bill or joint resolution, amendment, or conference report may contain rescissions of budget authority or reductions of direct spending, or that amendment may reduce amounts for that emergency."

(2) The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 407 the following new item:

"Sec. 408. Point of order regarding emergencies."

TITLE III—USE OF BUDGET SURPLUS TO PRESERVE SOCIAL SECURITY TRUST FUND

SEC. 301. ENDING USE OF RECEIPTS OF SOCIAL SECURITY TRUST FUND FOR OTHER PROGRAMS AND ACTIVITIES.

(a) If, in any year, revenues are higher than the targets in Section 104, as adjusted pursuant to Section 107, or spending is lower than the caps in Section 105, as adjusted, and the deficits are lower than the targets in Section 105, as adjusted pursuant to Section 107, those amounts shall be applied pursuant to subsection (b).

(b) All funds described in subsection (a) up to \$100 billion shall be used to reduce the consolidated budget deficit and, to the extent that funds are available to eliminate the consolidated budget deficit, to retire the outstanding debt of the United States Government held by the public.

(c) Any use of funds described in subsection (a) for any purpose other than provided in subsection (b) shall be subject to the requirements of Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, and any reduction in the amounts described in subsection (a) shall be considered as an increase in the deficit.

(d) When the President submits the budget under section 1105(a) of Title 31, United States Code for any year, OMB shall adjust the Social Security Trust Fund surpluses for each year under this Section, based on the most recent estimates of such surpluses to be provided to OMB by the Secretary of the Treasury.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BONILLA, announced that the yeas had it.

Mr. NUSSLE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

It was decided in the negative Yeas 148
Nays 279
Answered present 1

185.7

[Roll No. 300]

YEAS—148

Abercrombie	Gordon	Ney
Allen	Green	Norwood
Andrews	Greenwood	Paxon
Baessler	Gutknecht	Pease
Ballenger	Hall (TX)	Peterson (MN)
Barcia	Hamilton	Pickett
Barrett (WI)	Harman	Porter
Barton	Hefner	Portman
Bass	Hill	Ramstad
Bentsen	Hilliard	Regula
Bilirakis	Hinojosa	Riggs
Bishop	Holden	Roemer
Blumenauer	Hooley	Ros-Lehtinen
Boswell	Horn	Rush
Boyd	Houghton	Sanchez
Brady	Hunter	Sandlin
Brown (CA)	Inglis	Sanford
Brown (FL)	Jefferson	Schaefer, Dan
Camp	John	Schaffer, Bob
Campbell	Johnson (WI)	Scott
Canady	Kanjorski	Sherman
Carson	Kaptur	Shirkus
Castle	Kind (WI)	Sisisky
Chabot	Klecza	Skaggs
Chenoweth	Klug	Smith, Adam
Clement	Lampson	Smith, Linda
Clyburn	Lantos	Stabenow
Coburn	Largent	Stearns
Combust	LaTourette	Stenholm
Condit	Lazio	Stupak
Cramer	Leach	Talent
Danner	Luther	Tanner
Davis (FL)	Maloney (CT)	Tauscher
Deal	Maloney (NY)	Tauzin
DeFazio	Manton	Taylor (MS)
Deutsch	McCarthy (MO)	Taylor (NC)
Doggett	McCarthy (NY)	Thompson
Dooley	McCollum	Thurman
Doyle	McHale	Turner
Duncan	McIntosh	Upton
Edwards	McIntyre	Visclosky
Eshoo	McKinney	Wamp
Etheridge	Meehan	Weldon (PA)
Farr	Miller (CA)	Weller
Forbes	Minge	Wexler
Fox	Mink	Weygand
Furse	Moran (VA)	Woolsey
Ganske	Morella	Yates
Gilchrist	Murtha	
Goode	Neumann	

NAYS—279

Ackerman	Boehlert	Christensen
Aderholt	Boehner	Clay
Archer	Bonilla	Clayton
Armey	Bonior	Coble
Bachus	Bono	Collins
Baker	Borski	Conyers
Baldacci	Boucher	Cook
Barr	Brown (OH)	Cooksey
Barrett (NE)	Bryant	Costello
Bartlett	Bunning	Cox
Bateman	Burr	Coyne
Becerra	Burton	Crane
Bereuter	Buyer	Crapo
Berman	Callahan	Cubin
Berry	Calvert	Cummings
Bilbray	Cannon	Cunningham
Blagojevich	Capps	Davis (IL)
Bliley	Cardin	Davis (VA)
Blunt	Chambliss	DeGette

Delahunt	Kennelly	Price (NC)
DeLauro	Kildee	Pryce (OH)
DeLay	Kilpatrick	Quinn
Dellums	Kim	Radanovich
Diaz-Balart	King (NY)	Rahall
Dickey	Kingston	Rangel
Dicks	Klink	Redmond
Dingell	Knollenberg	Reyes
Dixon	Kolbe	Riley
Doolittle	Kucinich	Rivers
Dreier	LaFalce	Rodriguez
Dunn	LaHood	Rogan
Ehlers	Latham	Rogers
Ehrlich	Levin	Rohrabacher
Emerson	Lewis (CA)	Rothman
Engel	Lewis (GA)	Roukema
English	Lewis (KY)	Roybal-Allard
Evans	Linder	Royce
Everett	Lipinski	Ryun
Ewing	Livingston	Sabo
Fattah	LoBiondo	Salmon
Fawell	Lofgren	Sanders
Fazio	Lowe	Sawyer
Filner	Lucas	Saxton
Flake	Manzullo	Scarborough
Foglietta	Marky	Schumer
Foley	Martinez	Sensenbrenner
Ford	Mascara	Serrano
Fowler	Matsui	Sessions
Frank (MA)	McCrery	Shadegg
Franks (NJ)	McDade	Shaw
Frelinghuysen	McDermott	Shays
Frost	McGovern	Shuster
Gallegly	McHugh	Skeen
Gejdenson	McInnis	Skelton
Gekas	McKeon	Slaughter
Gephardt	McNulty	Smith (MI)
Gibbons	Meek	Smith (NJ)
Gillmor	Menendez	Smith (OR)
Gilman	Metcalfe	Smith (TX)
Goodlatte	Mica	Snowbarger
Goodling	Millender-Goss	Snyder
Goss	McDonald	Solomon
Graham	Miller (FL)	Souder
Granger	Moakley	Spence
Gutierrez	Molinar	Spratt
Hall (OH)	Mollohan	Stokes
Hansen	Moran (KS)	Strickland
Hastert	Myrick	Stump
Hastings (FL)	Nadler	Sununu
Hastings (WA)	Neal	Thomas
Hayworth	Nethercutt	Thornberry
Hefley	Northup	Thune
Herger	Nussle	Tiaht
Hilleary	Oberstar	Tierney
Hinchey	Obey	Torres
Hobson	Olver	Towns
Hoekstra	Ortiz	Traficant
Hostettler	Owens	Velazquez
Hoyer	Oxley	Vento
Hulshof	Packard	Walsh
Hyde	Pappas	Waters
Istook	Parker	Watkins
Jackson (IL)	Pascarell	Watt (NC)
Jackson-Lee	Pastor	Watts (OK)
(TX)	Paul	Waxman
Jenkins	Payne	Weldon (FL)
Johnson (CT)	Pelosi	White
Johnson, E. B.	Peterson (PA)	Whitfield
Johnson, Sam	Petri	Wicker
Jones	Pickering	Wise
Kasich	Pitts	Wolf
Kelly	Pombo	Wynn
Kennedy (MA)	Pomeroy	Young (FL)
Kennedy (RI)	Poshard	

ANSWERED "PRESENT"—1

Ensign

NOT VOTING—6

Gonzalez	Pallone	Stark
Hutchinson	Schiff	Young (AK)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BONILLA, announced that the yeas had it.

Mr. BARTON demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative Yeas 81
Nays 347

185.8

[Roll No. 301]

AYES—81

Andrews	Gekas	Morella
Ballenger	Goode	Neumann
Barcia	Goodling	Norwood
Barrett (WI)	Graham	Peterson (MN)
Barton	Gutknecht	Petri
Bass	Hall (TX)	Porter
Bliley	Hamilton	Ramstad
Blumenauer	Harman	Regula
Blunt	Hefner	Roemer
Boyd	Hoekstra	Rohrabacher
Brady	Horn	Royce
Campbell	Houghton	Sanchez
Castle	Inglis	Sanford
Chambliss	John	Schaffer, Bob
Coburn	Kind (WI)	Sensenbrenner
Combust	Kingston	Sisisky
Condit	Klug	Smith (TX)
Davis (FL)	Kolbe	Stenholm
DeFazio	Largent	Tanner
Deutsch	Livingston	Tauscher
Doggett	Luther	Tauzin
Dooley	McHale	Taylor (MS)
Doyle	McInnis	Taylor (NC)
Duncan	McIntyre	Turner
Ehlers	McKinney	Upton
Fawell	Meehan	Visclosky
Forbes	Minge	Wamp

NOES—347

Abercrombie	Cubin	Hastings (WA)
Ackerman	Cummings	Hayworth
Aderholt	Cunningham	Hefley
Allen	Danner	Herger
Archer	Davis (IL)	Hill
Armey	Davis (VA)	Hilleary
Bachus	Deal	Hilliard
Baessler	DeGette	Hinchey
Baker	Delahunt	Hinojosa
Baldacci	DeLauro	Hobson
Barr	DeLay	Holden
Barrett (NE)	Dellums	Hooley
Bartlett	Diaz-Balart	Hostettler
Bateman	Dickey	Hoyer
Becerra	Dicks	Hulshof
Bentsen	Dingell	Hunter
Bereuter	Dixon	Hyde
Berman	Doolittle	Istook
Berry	Dreier	Jackson (IL)
Bilbray	Dunn	Jackson-Lee
Bilirakis	Edwards	(TX)
Bishop	Ehrlich	Jefferson
Blagojevich	Emerson	Jenkins
Boehlert	Engel	Johnson (CT)
Boehner	English	Johnson (WI)
Bonilla	Ensign	Johnson, E. B.
Bonior	Eshoo	Johnson, Sam
Bono	Etheridge	Jones
Borski	Evans	Kanjorski
Boswell	Everett	Kaptur
Boucher	Ewing	Kasich
Brown (CA)	Farr	Kelly
Brown (FL)	Fattah	Kennedy (MA)
Brown (OH)	Fazio	Kennedy (RI)
Bryant	Filner	Kennelly
Bunning	Flake	Kildee
Burr	Foglietta	Kilpatrick
Burton	Foley	Kim
Buyer	Ford	King (NY)
Callahan	Fowler	Klecza
Calvert	Fox	Klink
Camp	Frank (MA)	Knollenberg
Canady	Franks (NJ)	Kucinich
Cannon	Frelinghuysen	LaFalce
Capps	Frost	LaHood
Cardin	Furse	Lampson
Carson	Gallegly	Lantos
Chabot	Ganske	Latham
Chenoweth	Gejdenson	LaTourette
Christensen	Gephardt	Lazio
Clay	Gibbons	Leach
Clayton	Gilchrist	Levin
Clement	Gillmor	Lewis (CA)
Clyburn	Gilman	Lewis (GA)
Coble	Goodlatte	Lewis (KY)
Collins	Gordon	Linder
Conyers	Goss	Lipinski
Cook	Granger	LoBiondo
Cooksey	Green	LoBiondo
Costello	Greenwood	Lofgren
Cox	Gutierrez	Lowe
Coyne	Hall (OH)	Lucas
Cramer	Hansen	Maloney (CT)
Crane	Hastert	Maloney (NY)
Crapo	Hastings (FL)	Manton
		Manzullo

Markey	Pelosi	Smith (NJ)
Martinez	Peterson (PA)	Smith (OR)
Mascara	Pickering	Smith, Adam
Matsui	Pickett	Smith, Linda
McCarthy (MO)	Pitts	Snowbarger
McCarthy (NY)	Pombo	Snyder
McCollum	Pomeroy	Solomon
McCrery	Portman	Souder
McDade	Poshard	Spence
McDermott	Price (NC)	Spratt
McGovern	Pryce (OH)	Stabenow
McHugh	Quinn	Stearns
McIntosh	Radanovich	Stokes
McKeon	Rahall	Strickland
McNulty	Rangel	Stump
Meek	Redmond	Stupak
Menendez	Reyes	Sununu
Metcalf	Riggs	Talent
Mica	Riley	Thomas
Millender-	Rivers	Thompson
McDonald	Rodriguez	Thornberry
Miller (CA)	Rogan	Thune
Miller (FL)	Rogers	Thurman
Mink	Ros-Lehtinen	Tiahrt
Moakley	Rothman	Tierney
Molinari	Roukema	Torres
Mollohan	Roybal-Allard	Towns
Moran (KS)	Rush	Traficant
Moran (VA)	Ryun	Velazquez
Murtha	Sabo	Vento
Myrick	Salmon	Walsh
Nadler	Sanders	Waters
Neal	Sandlin	Watkins
Nethercutt	Sawyer	Watt (NC)
Ney	Saxton	Watts (OK)
Northup	Scarborough	Waxman
Nussle	Schaefer, Dan	Weldon (FL)
Oberstar	Schumer	Weldon (PA)
Obey	Scott	Weller
Olver	Serrano	Wexler
Ortiz	Sessions	Weygand
Owens	Shadegg	White
Oxley	Shaw	Whitfield
Packard	Shays	Wicker
Pappas	Sherman	Wise
Parker	Shimkus	Wolf
Pascarell	Shuster	Woolsey
Pastor	Skaggs	Wynn
Paul	Skeen	Yates
Paxon	Skelton	Young (FL)
Payne	Slaughter	
Pease	Smith (MI)	

NOT VOTING—6

Gonzalez	Pallone	Stark
Hutchinson	Schiff	Young (AK)

So the bill was not passed.

A motion to reconsider the vote whereby said bill was not passed was, by unanimous consent, laid on the table.

§85.9 PROVIDING FOR THE CONSIDERATION OF H.R. 2169

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 189):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI, clause 7 of rule XXI, or section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: on page 4, line 1, through line 6; beginning with “, of which” on page 10, line 20,

through “Fund” on line 22; on page 52, line 8, through line 15; on page 53, line 3, through page 65, line 6. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. The amendments specified in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The amendments considered as adopted in the House and in the Committee of the Whole are as follows—

(1) page 31, line 24, strike “Staten Island-Midtown Ferry service project” and insert “St. George Ferry terminal project”; and (2) page 60, strike line 13 and all that follows through page 65, line 3, and redesignate the following section accordingly.

When said resolution was considered. After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

§85.10 TRANSPORTATION APPROPRIATIONS

The SPEAKER pro tempore, Mr. BONILLA, pursuant to House Resolution 189 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

The SPEAKER pro tempore, Mr. BONILLA, by unanimous consent, designated Mr. BEREUTER as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. GILCHREST, assumed the Chair.

When Mr. BEREUTER, Chairman, pursuant to House Resolution 189, reported the bill, as amended pursuant to said rule, back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I
OFFICE OF THE SECRETARY
SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$60,009,000, of which not to exceed \$40,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: *Provided*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received in user fees: *Provided further*, That no more than \$606,000 shall be available for the Office of Acquisition and Grants Management, solely for department-wide grants management activities: *Provided further*, That none of the funds appropriated in this Act or otherwise made available may be used to maintain custody of airline tariffs that are already available for public and departmental access at no cost; to secure them against detection, alteration, or tampering; and open to inspection by the Department.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$5,574,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, and development activities, to remain available until expended, \$4,400,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed \$121,800,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, \$1,500,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$15,000,000. In addition, for administrative expenses to carry out the direct loan program, \$400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$2,900,000, of which \$2,635,000 shall remain available until September 30, 1999: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; \$2,708,000,000, of which \$300,000,000 shall be available for defense-related activities and \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That the number of aircraft on hand at any one time shall not exceed two hundred and twelve, exclusive of aircraft and parts stored to meet future attrition: *Provided further*, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further*, That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839: *Provided further*, That \$34,300,000 of the funds provided under this heading for increased drug interdiction activities are not available for obligation until the Director, Office of National Drug Control Policy: (1) reviews the specific activities and associated costs and benefits proposed by the Coast Guard; (2) compares those activities to other drug interdiction efforts government-wide; and (3) certifies, in writing, to the House and Senate Committees on Appropriations that such expenditures represent the best investment relative to other options: *Provided further*, That should the Director, Office of National Drug Control Policy decline to make such certification, after notification in writing to the House and Senate Committees on Appropriations, the Director may transfer, at his discretion, up to \$34,300,000 of funds provided herein for Coast Guard drug interdiction activities to any other entity of the Federal Government for drug interdiction activities: *Provided further*, That up to \$615,000 in user fees collected pursuant to section 1111 of Public Law 104-324 shall be credited to this appropriation as offsetting collections in fiscal year 1998.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$379,000,000, of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$191,650,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2002; \$33,900,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2000; \$47,050,000 shall be available for other equipment, to remain available until September 30, 2000; \$59,400,000 shall be available for shore facilities and aids to navigation facilities,

ties, to remain available until September 30, 2000; and \$47,000,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1999: *Provided*, That funds received from the sale of HU-25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity: *Provided further*, That the Commandant may dispose of surplus real property by sale or lease and the proceeds shall be credited to this appropriation, of which not more than \$9,000,000 shall be credited as offsetting collections to this account, to be available for the purposes of this account: *Provided further*, That the amount herein appropriated from the General Fund shall be reduced by such amount so as to result in a final fiscal year 1998 appropriation from the General Fund of \$370,000,000: *Provided further*, That any proceeds from the sale or lease of Coast Guard surplus real property in excess of \$9,000,000 shall be retained and remain available until expended, but shall not be available for obligation until October 1, 1998.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, \$21,000,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, \$16,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55); \$645,696,000.

RESERVE TRAINING

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; \$67,000,000: *Provided*, That no more than \$20,000,000 of funds made available under this heading may be transferred to Coast Guard "Operating expenses" or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, \$19,000,000, to remain available until expended, of which \$3,500,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92-75, as amended, \$35,000,000, to be derived from the Boat Safety Account and to remain available until expended.

FEDERAL AVIATION ADMINISTRATION OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of subchapter I of chapter 471 of title 49, United States Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, \$5,300,000,000, of which \$1,880,000,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the Federal Aviation Administration to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further*, That none of the funds derived from the Airport and Airway Trust Fund may be used to support the operations and activities of the Associate Administrator for Commercial Space Transportation.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, \$1,875,000,000, of which \$1,655,890,000 shall remain available until September 30, 2000, and of which \$219,110,000 shall remain available until September 30, 1998: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipali-

ties, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

RESEARCH, ENGINEERING, AND DEVELOPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$185,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2000: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development: *Provided further*, That none of the funds in this Act may be obligated or expended for the "Flight 2000" Program.

GRANTS-IN-AID FOR AIRPORTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations, \$1,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$1,700,000,000 in fiscal year 1998 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, United States Code.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, United States Code.

AIRCRAFT PURCHASE LOAN GUARANTEE
PROGRAM

None of the funds in this Act shall be available for activities under this heading during fiscal year 1998.

ADMINISTRATIVE SERVICES FRANCHISE FUND

None of the funds in this Act shall be available to establish new activities under the Administrative Services Franchise Fund during fiscal year 1998.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON GENERAL OPERATING
EXPENSES

Necessary expenses for administration, operation, including motor carrier safety program operations, and research of the Federal Highway Administration not to exceed \$510,313,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That \$202,226,000 of the amount provided herein shall remain available until September 30, 2000.

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execu-

tion of programs the obligations for which are in excess of \$21,500,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1998.

FEDERAL-AID HIGHWAYS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, \$20,800,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND
(LIMITATION ON DIRECT LOANS)
(HIGHWAY TRUST FUND)

None of the funds under this head are available for obligations for right-of-way acquisition during fiscal year 1998.

MOTOR CARRIER SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 31102, \$85,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$85,325,000 for "Motor Carrier Safety Grants".

NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION
OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under part C of subtitle VI of title 49, United States Code, and chapter 301 of title 49, United States Code, \$74,492,000, of which \$40,674,000 shall remain available until September 30, 2000: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH
(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under 23 U.S.C. 403 and section 2006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240), to be derived from the Highway Trust Fund, \$72,415,000, of which \$49,520,000 shall remain available until September 30, 2000.

HIGHWAY TRAFFIC SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 408, and 410, and chapter 303 of title 49, United States Code, to remain available until expended, \$186,000,000, to be derived from the Highway Trust Fund: *Provided*, That, notwithstanding subsection 2009(b) of the Intermodal Surface Transportation Efficiency Act of 1991, none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 1998, are in excess of \$186,500,000 for programs authorized under 23

U.S.C. 402, 410, and chapter 303 of title 49, United States Code, of which \$140,200,000 shall be for "State and community highway safety grants", \$2,300,000 shall be for the "National Driver Register", \$9,000,000 shall be for "Occupant Protection Incentive Grants", subject to authorization, and \$35,000,000 shall be for section 410 "Alcohol-impaired driving counter-measures programs": *Provided further*, That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That not to exceed \$5,268,000 of the funds made available for section 402 may be available for administering "State and community highway safety grants": *Provided further*, That not to exceed \$150,000 of the funds made available for section 402 may be available for administering the highway safety grants authorized by section 1003(a)(7) of Public Law 102-240: *Provided further*, That not to exceed \$500,000 of the funds made available for section 410 "Alcohol-impaired driving counter-measures programs" shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION
OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$19,434,000, of which \$1,389,000 shall remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation: *Provided further*, That none of the funds for rental payments to the General Services Administration provided herein shall be used to pay the expenses of headquarters' employees outside of the Nassif building after January 1, 1998.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$56,967,000, of which \$5,511,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading are available for the reimbursement of out-of-state travel and per diem costs incurred by employees of State governments directly supporting the Federal railroad safety program, including regulatory development and compliance-related activities.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$21,038,000, to remain available until expended.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

For necessary expenses related to Northeast Corridor improvements authorized by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 851 et seq.) and 49 U.S.C. 24909, \$250,000,000, to remain available until September 30, 2000.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding; *Provided*, That no new loan guarantee commitments shall be made during fiscal year 1998.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for Next Generation High-Speed Rail studies, corridor planning, development, demonstration, and implementation, \$18,395,000, to remain available until expended; *Provided*, That funds under this head may be made available for grants to States for high-speed rail corridor design, feasibility studies, environmental analyses, and track and signal improvements.

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, \$10,000,000, to be matched by the State of Rhode Island or its designee on a dollar for dollar basis and to remain available until expended; *Provided*, That as a condition of accepting such funds, the Providence and Worcester (P&W) Railroad shall enter into an agreement with the Secretary to reimburse Amtrak and/or the Federal Railroad Administration, on a dollar for dollar basis, up to the first \$23,000,000 in damages resulting from the legal action initiated by the P&W Railroad under its existing contracts with Amtrak relating to the provision of vertical clearances between Davisville and Central Falls in excess of those required for present freight operations.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation authorized by 49 U.S.C. 24104, \$543,000,000, to remain available until expended, of which \$202,000,000 shall be available for operating losses, \$81,000,000 shall be available for mandatory passenger rail service payments, and \$260,000,000 shall be for capital improvements; *Provided*, That none of the funds herein appropriated for mandatory railroad retirement payments shall be used for payments for National Railroad Passenger Corporation employees; *Provided further*, That none of the funds in this Act may be obligated or expended for operating losses in excess of the amounts specifically provided herein; *Provided further*, That none of the funds provided for capital improvements may be transferred to operating losses to pay for debt service interest unless specifically authorized by law after the date of enactment of this Act; *Provided further*, That the incurring of any obligation or commitment by the Corporation for the purchase of capital improvements prohibited by this Act or not expressly provided for in an appropriations Act shall be deemed a violation

of 31 U.S.C. 1341: *Provided further*, That funding under this head for capital improvements shall not be made available before July 1, 1998; *Provided further*, That the Administrator of the Federal Railroad Administration shall submit a quarterly report to the House and Senate Committees on Appropriations detailing the financial status of, and future business forecasts for, the National Railroad Passenger Corporation as well as recommendations for reducing operating losses in the near-term and Federal financial support in the long-term; *Provided further*, That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status.

FEDERAL TRANSIT ADMINISTRATION
ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$45,738,000; *Provided*, That none of the funds in this Act shall be available for the execution of contracts under section 5327(c) of title 49, United States Code, in an aggregate amount that exceeds \$15,000,000.

FORMULA GRANTS

For necessary expenses to carry out 49 U.S.C. 5307, 5310(a)(2), 5311, and 5336, to remain available until expended, \$290,000,000; *Provided*, That no more than \$2,500,000,000 of budget authority shall be available for these purposes; *Provided further*, That of the funds provided under this head for formula grants, no more than \$200,000,000 may be used for operating assistance under 49 U.S.C. 5336(d); *Provided further*, That the limitation on operating assistance provided under this heading shall, for urbanized areas of less than 200,000 in population, be no less than seventy-five percent of the amount of operating assistance such areas are eligible to receive under Public Law 103-331; *Provided further*, That in the distribution of the limitation provided under this heading to urbanized areas that had a population under the 1990 census of 1,000,000 or more, the Secretary shall direct each such area to give priority consideration to the impact of reductions in operating assistance on smaller transit authorities operating within the area and to consider the needs and resources of such transit authorities when the limitation is distributed among all transit authorities operating in the area.

UNIVERSITY TRANSPORTATION CENTERS

For necessary expenses for university transportation centers as authorized by 49 U.S.C. 5317(b), to remain available until expended, \$6,000,000.

TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by 49 U.S.C. 5303, 5311, 5313, 5314, and 5315, to remain available until expended, \$86,000,000, of which \$39,500,000 shall be for activities under Metropolitan Planning (49 U.S.C. 5303); \$4,500,000 for activities under Rural Transit Assistance (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under State Planning and Research (49 U.S.C. 5313(b)); \$22,500,000 for activities under National Planning and Research (49 U.S.C. 5314); \$8,250,000 for activities under Transit Cooperative Research (49 U.S.C. 5313(a)); and \$3,000,000 for National Transit Institute (49 U.S.C. 5315).

TRUST FUND SHARE OF EXPENSES
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(a), \$2,210,000,000,

to remain available until expended and to be derived from the Highway Trust Fund: *Provided*, That \$2,210,000,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants account.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$2,000,000,000 in fiscal year 1998 for grants under the contract authority in 49 U.S.C. 5338(b); *Provided*, That there shall be available for fixed guideway modernization, \$800,000,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, \$400,000,000; and there shall be available for new fixed guideway systems \$800,000,000, to be available as follows:

\$44,600,000 for the Atlanta-North Springs project (subject to authorization);

\$46,300,000 for the Boston Piers MOS-2 project (subject to authorization);

\$2,300,000 for the Canton-Akron-Cleveland commuter rail project (subject to authorization);

\$1,000,000 for the Charlotte South corridor transitway project (subject to authorization);

\$500,000 for the Cincinnati Northeast/Northern Kentucky rail line project (subject to authorization);

\$5,000,000 for the Clark County, Nevada fixed guideway project (subject to authorization);

\$800,000 for the Cleveland Blue Line extension to Highland Hills project (subject to authorization);

\$700,000 for the Cleveland Berea Red Line extension to Hopkins International Airport (subject to authorization);

\$1,200,000 for the Cleveland Waterfront Line extension project (subject to authorization);

\$14,000,000 for the Dallas-Fort Worth RAILTRAN project (subject to authorization);

\$8,000,000 for the DART North Central light rail extension project (subject to authorization);

\$1,500,000 for the DeKalb County, Georgia light rail project (subject to authorization);

\$21,400,000 for the Denver Southwest Corridor project (subject to authorization);

\$7,000,000 for the Florida Tri-County commuter rail project (subject to authorization);

\$1,000,000 for the Galveston, Texas rail trolley system project (subject to authorization);

\$1,000,000 for the Houston Advanced Regional Bus Plan project (subject to authorization);

\$51,100,000 for the Houston Regional Bus project (subject to authorization);

\$1,000,000 for the Indianapolis Northeast corridor project (subject to authorization);

\$4,000,000 for the Jackson, Mississippi intermodal corridor project (subject to authorization);

\$76,000,000 for the Los Angeles MOS-3 project (subject to authorization);

\$27,000,000 for MARC commuter rail improvements (subject to authorization);

\$1,000,000 for the Memphis, Tennessee regional rail project (subject to authorization);

\$9,000,000 for the Metro-Dade Transit east-west corridor project (subject to authorization);

\$9,000,000 for the Miami-North 27th Avenue project (subject to authorization);

\$1,000,000 for the Mission Valley East corridor project (subject to authorization);

\$54,800,000 for the New Jersey-Hudson-Bergen project (subject to authorization);

\$27,000,000 for the New Jersey Secaucus project (subject to authorization);
 \$8,000,000 for the New Orleans Canal Street corridor project (subject to authorization);
 \$2,000,000 for the New Orleans Desire Streetcar project (subject to authorization);
 \$6,000,000 for the North Carolina Research Triangle Park project (subject to authorization);
 \$2,000,000 for the Northern Indiana South Shore commuter rail project (subject to authorization);
 \$5,000,000 for the Oceanside-Escondido light rail project (subject to authorization);
 \$1,600,000 for the Oklahoma City MAPS corridor transit project (subject to authorization);
 \$4,000,000 for the Orange County transitway project (subject to authorization);
 \$31,800,000 for the Orlando Lynx light rail project (subject to authorization);
 \$500,000 for the Pennsylvania Strawberry Hill/Diamond Branch rail project (subject to authorization);
 \$8,000,000 for the Phoenix metropolitan area transit project (subject to authorization);
 \$3,000,000 for the Pittsburgh airport busway project (subject to authorization);
 \$63,400,000 for the Portland-Westside/Hillsboro project (subject to authorization);
 \$20,300,000 for the Sacramento LRT project (subject to authorization);
 \$42,800,000 for the Salt Lake City South LRT project (subject to authorization);
 \$1,000,000 for the San Bernardino Metrolink project (subject to authorization);
 \$3,000,000 for the San Diego Mid-Coast corridor project (subject to authorization);
 \$54,800,000 for the San Francisco BART extension to the airport project (subject to authorization);
 \$25,700,000 for the San Juan Tren Urbano (subject to authorization);
 \$21,400,000 for the San Jose Tasman LRT project (subject to authorization);
 \$4,000,000 for the Seattle-Tacoma commuter rail project (subject to authorization);
 \$2,000,000 for the Seattle-Tacoma light rail project (subject to authorization);
 \$30,000,000 for the St. Louis-St. Clair LRT extension project (subject to authorization);
 \$5,000,000 for the St. George Ferry terminal project (subject to authorization);
 \$2,000,000 for the Tampa Bay regional rail project (subject to authorization);
 \$2,000,000 for the Tidewater, Virginia rail project (subject to authorization);
 \$1,000,000 for the Toledo, Ohio rail project (subject to authorization);
 \$20,000,000 for the Twin Cities transitways projects (subject to authorization);
 \$2,500,000 for the Virginia Rail Express Fredericksburg to Washington commuter rail project (subject to authorization);
 \$5,000,000 for the Whitehall ferry terminal project (subject to authorization); and
 \$5,000,000 for the Wisconsin central commuter rail project (subject to authorization).

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration, \$2,350,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For necessary expenses to carry out the provisions of section 14 of Public Law 96-184 and Public Law 101-551, \$200,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, including the Great Lakes Pilotage functions delegated by the Secretary of Transportation, \$11,200,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, \$27,934,000, of which \$574,000 shall be derived from the Pipeline Safety Fund, and of which \$4,950,000 shall remain available until September 30, 2000: *Provided*, That up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY (PIPELINE SAFETY FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$31,486,000, of which \$3,300,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2000; and of which \$28,186,000 shall be derived from the Pipeline Safety Fund, of which \$14,839,000 shall remain available until September 30, 2000: *Provided*, That in addition to amounts made available for the Pipeline Safety Fund, \$1,000,000 shall be available for grants to States for the development and establishment of one-call notification systems and shall be derived from amounts previously collected under section 7005 of the Consolidated Omnibus Budget Reconciliation Act of 1985.

EMERGENCY PREPAREDNESS GRANTS (EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), \$200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2000: *Provided*, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions

of the Inspector General Act of 1978, as amended, \$42,000,000: *Provided*, That none of the funds under this heading shall be for the conduct of contract audits.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$15,853,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$2,000,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated for the general fund shall be reduced on a dollar for dollar basis as such offsetting collections are received during fiscal year 1998, to result in a final appropriation from the general fund estimated at no more than \$13,853,000: *Provided further*, That any fees received in excess of \$2,000,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until October 1, 1998.

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$3,640,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902) \$46,000,000, of which not to exceed \$2,000 may be used for official reception and representation expenses.

EMERGENCY FUND

For necessary expenses of the National Transportation Safety Board for accident investigations, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$1,000,000, to remain available until expended.

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 302. Such sums as may be necessary for fiscal year 1998 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation

Administration shall be available (1) except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 305. None of the funds in this Act shall be available for salaries and expenses of more than one hundred seven political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Technology Reinvestment Project authorized under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: *Provided*, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 1998 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1997, no State shall obligate more than 25 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 12 per centum of the total amount distributed to all States under such subsection.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways that have been apportioned to a State;

(2) after August 1, 1998, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 103(e)(4), 104, and 144 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102-240; and

(3) not distribute amounts authorized for administrative expenses and funded from the administrative takedown authorized by section 104(a) of title 23, United States Code, the Federal lands highway program, the intelligent transportation systems program, and amounts made available under sections 1040, 1047, 1064, 6001, 6005, 6006, 6023, and 6024 of Public Law 102-240, and 49 U.S.C. 5316, 5317, and 5338: *Provided*, That amounts made available under section 6005 of Public Law 102-240 shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs under the head "Federal-Aid Highways" in this Act.

(d) During the period October 1 through December 31, 1997, the aggregate amount of obligations under section 157 of title 23, United States Code, for projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97-424, sections 1061, 1103-1108, 4008, 6023(b)(8), and 6023(b)(10) of Public Law 102-240, and for projects authorized by Public Law 99-500 and Public Law 100-17, shall not exceed \$277,431,840.

(e) During the period August 2 through September 30, 1998, the aggregate amount which may be obligated by all States shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

(1) under sections 104 and 144 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102-240, and

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code, which would not be obligated in fiscal year 1998 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(f) Paragraph (e) shall not apply to any State which on or after August 1, 1998, has the amount distributed to such State under paragraph (a) for fiscal year 1998 reduced under paragraph (c)(2).

SEC. 311. The limitation on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation under the discretionary grants program.

SEC. 312. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 313. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 314. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach light-

ing equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 315. None of the funds in this Act shall be available to award a multiyear contract for production end items that: (1) includes economic order quantity or long lead time material procurement in excess of \$10,000,000 in any one year of the contract; or (2) includes a cancellation charge greater than \$10,000,000 which at the time of obligation has not been appropriated to the limits of the Government's liability; or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 316. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under "Federal Transit Administration, Discretionary grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2000, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 317. Notwithstanding any other provision of law, any funds appropriated before October 1, 1993, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 318. None of the funds in this Act may be used to compensate in excess of 350 technical staff years under the federally-funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 1998.

SEC. 319. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by \$25,000,000, which limits fiscal year 1998 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than \$96,800,000: *Provided*, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Transportation Administrative Service Center.

SEC. 320. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Limitation on General Operating Expenses" account, the Federal Transit Administration's "Transit Planning and Research" account, and to the Federal Railroad Administration's "Railroad Safety" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 321. None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations pursuant to title V of the Motor Vehicle Information and Cost Savings Act (49 U.S.C. 32901 et seq.) prescribing corporate average fuel economy standards

for automobiles, as defined in such title, in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

SEC. 322. None of the funds in this Act may be used for planning, engineering, design, or construction of a sixth runway at the Denver International Airport, Denver, Colorado: *Provided*, That this provision shall not apply in any case where the Administrator of the Federal Aviation Administration determines, in writing, that safety conditions warrant obligation of such funds: *Provided further*, That funds may be used for activities related to planning or analysis of airport noise issues related to the sixth runway project.

SEC. 323. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to the provisions of section 6006 of the Intermodal Surface Transportation Efficiency Act of 1991, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 324. None of the funds in this Act may be obligated or expended for employee training which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; (d) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; (e) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or (f) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

SEC. 325. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation: *Provided*, That this shall not prevent officers or employees of the Department of Transportation or related agencies funded in this Act from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 326. None of the funds in this Act may be used to support Federal Transit Administration's field operations and oversight of the Washington Metropolitan Area Transit Authority in any location other than from the Washington, D.C. metropolitan area.

SEC. 327. Notwithstanding any other provision of law, the Secretary may use funds appropriated under this Act, or any subsequent Act, to administer and implement the exemption provisions of 49 CFR 580.6 and to adopt or amend exemptions from the disclosure requirements of 49 CFR part 580 for any

class or category of vehicles that the Secretary deems appropriate.

SEC. 328. No funds other than those appropriated to the Surface Transportation Board shall be used for conducting the activities of the Board.

SEC. 329. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a-10c).

(b) SENSE OF CONGRESS: REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 330. Notwithstanding any other provision of law, receipts, in amounts determined by the Secretary, collected from users of fitness centers operated by or for the Department of Transportation shall be available to support the operation and maintenance of those facilities.

SEC. 331. None of the funds made available in this Act may be used for improvements to the Miller Highway in New York City, New York.

SEC. 332. None of the funds in this Act shall be available to implement or enforce regulations that would result in the withdrawal of a slot from an air carrier at O'Hare International Airport under section 93.223 of title 14 of the Code of Federal Regulations in excess of the total slots withdrawn from that air carrier as of October 31, 1993 if such additional slot is to be allocated to an air carrier or foreign air carrier under section 93.217 of title 14 of the Code of Federal Regulations.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1998".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. GILCHREST, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 424
affirmative Nays 5

§85.11

[Roll No. 302]

YEAS—424

Abercrombie	Dellums	Jackson-Lee
Ackerman	Deutsch	(TX)
Aderholt	Diaz-Balart	Jefferson
Allen	Dickey	Jenkins
Andrews	Dicks	John
Archer	Dixon	Johnson (CT)
Armey	Doggett	Johnson (WI)
Bachus	Dooley	Johnson, E. B.
Baessler	Doolittle	Johnson, Sam
Baker	Doyle	Jones
Baldacci	Dreier	Kanjorski
Ballenger	Duncan	Kaptur
Barcia	Dunn	Kasich
Barr	Edwards	Kelly
Barrett (NE)	Ehlers	Kennedy (MA)
Barrett (WI)	Ehrlich	Kennedy (RI)
Bartlett	Emerson	Kennelly
Barton	Engel	Kildee
Bass	English	Kilpatrick
Bateman	Ensign	Kim
Becerra	Eshoo	Kind (WI)
Bentsen	Etheridge	King (NY)
Bereuter	Evans	Kingston
Berman	Everett	Klecza
Berry	Ewing	Klink
Bilbray	Farr	Klug
Bilirakis	Fattah	Knollenberg
Bishop	Fawell	Kolbe
Blagojevich	Fazio	Kucinich
Bliley	Filner	LaFalce
Blumenauer	Flake	LaHood
Blunt	Foglietta	Lampson
Boehlert	Foley	Lantos
Boehner	Forbes	Largent
Bonilla	Ford	Latham
Bonior	Fowler	LaTourette
Bono	Fox	Lazio
Borski	Frank (MA)	Leach
Boswell	Franks (NJ)	Levin
Boucher	Frelinghuysen	Lewis (CA)
Boyd	Frost	Lewis (GA)
Brady	Furse	Lewis (KY)
Brown (CA)	Gallegly	Linder
Brown (FL)	Ganske	Lipinski
Brown (OH)	Gejdenson	Livingston
Bryant	Gekas	LoBiondo
Bunning	Gephardt	Lofgren
Burr	Gibbons	Lowey
Burton	Gilchrest	Lucas
Buyer	Gillmor	Luther
Callahan	Gilman	Maloney (CT)
Calvert	Gonzalez	Maloney (NY)
Camp	Goode	Manton
Canady	Goodlatte	Manzullo
Cannon	Goodling	Markey
Capps	Gordon	Martinez
Cardin	Goss	Mascara
Carson	Granger	Matsui
Castle	Green	McCarthy (MO)
Chabot	Greenwood	McCarthy (NY)
Chambliss	Gutierrez	McCollum
Chenoweth	Gutknecht	McCrery
Christensen	Hall (OH)	McDade
Clay	Hall (TX)	McDermott
Clayton	Hamilton	McGovern
Clement	Hansen	McHale
Clyburn	Harman	McHugh
Coble	Hastert	McInnis
Coburn	Hastings (FL)	McIntosh
Collins	Hastings (WA)	McIntyre
Combest	Hayworth	McKeon
Condit	Hefley	McKinney
Conyers	Hefner	McNulty
Cook	Herger	Meehan
Cooksey	Hill	Meek
Costello	Hilleary	Menendez
Cox	Hilliard	Metcalf
Coyne	Hinchey	Mica
Cramer	Hinojosa	Millender-
Crane	Hobson	McDonald
Crapo	Hoekstra	Miller (CA)
Cubin	Holden	Miller (FL)
Cummings	Hooley	Minge
Cunningham	Horn	Mink
Danner	Houghton	Moakley
Davis (FL)	Hoyer	Mollinari
Davis (IL)	Hulshof	Mollohan
Davis (VA)	Hunter	Moran (KS)
Deal	Hutchinson	Moran (VA)
DeFazio	Hyde	Morella
DeGette	Inglis	Murtha
DeLauro	Istook	Myrick
DeLay	Jackson (IL)	Nadler
		Neal

Nethercutt	Rohrabacher	Stokes	DeGette	Kennedy (RI)	Pelosi	Pitts	Sanchez	Stump
Neumann	Ros-Lehtinen	Strickland	Delahunt	Kennelly	Pickett	Pombo	Sanford	Stupak
Ney	Rothman	Stump	DeLauro	Kilpatrick	Rangel	Pomeroy	Saxton	Sununu
Northup	Roukema	Stupak	Dellums	Klink	Rodriguez	Porter	Scarborough	Talent
Norwood	Roybal-Allard	Sununu	Deutsch	Lampson	Rush	Portman	Schaefer, Dan	Tanner
Nussle	Royce	Talent	Dingell	Levin	Sabo	Poshard	Schaffer, Bob	Tauzin
Oberstar	Rush	Tanner	Doggett	Lewis (GA)	Sanders	Price (NC)	Schumer	Taylor (MS)
Obey	Ryun	Tauscher	Engel	Lipinski	Sandlin	Pryce (OH)	Scott	Taylor (NC)
Olver	Sabo	Tauzin	Eshoo	Lowey	Sawyer	Quinn	Sensenbrenner	Thomas
Ortiz	Salmon	Taylor (MS)	Evans	Maloney (NY)	Sisisky	Radanovich	Sessions	Thornberry
Owens	Sanchez	Taylor (NC)	Farr	Manton	Skaggs	Rahall	Shadegg	Thune
Oxley	Sanders	Thomas	Fazio	Markey	Smith, Adam	Ramstad	Shaw	Thurman
Packard	Sandlin	Thompson	Flner	Matsui	Snyder	Redmond	Shays	Tiahrt
Pappas	Sawyer	Thornberry	Flake	McCarthy (NY)	Spratt	Regula	Sherman	Trafigant
Parker	Saxton	Thune	Frost	McGovern	Stokes	Reyes	Shimkus	Upton
Pascarell	Scarborough	Thurman	Furse	McNulty	Strickland	Riggs	Shuster	Visclosky
Pastor	Schaefer, Dan	Tiahrt	Gejdenson	Meek	Tauscher	Riley	Skeen	Walsh
Paxon	Schaffer, Bob	Tierney	Gephardt	Menendez	Thompson	Rivers	Skelton	Wamp
Payne	Schumer	Torres	Gonzalez	Millender-	Tierney	Roemer	Smith (MI)	Watkins
Pease	Scott	Towns	Gutierrez	McDonald	Torres	Rogan	Smith (NJ)	Watts (OK)
Pelosi	Sensenbrenner	Trafigant	Hall (OH)	Miller (CA)	Towns	Rogers	Smith (OR)	Weldon (FL)
Peterson (MN)	Serrano	Turner	Harman	Mink	Turner	Rohrabacher	Smith (TX)	Weldon (PA)
Peterson (PA)	Sessions	Upton	Hastings (FL)	Moakley	Velazquez	Ros-Lehtinen	Smith, Linda	Weller
Petri	Shadegg	Velazquez	Hefner	Moran (VA)	Vento	Rothman	Snowbarger	White
Pickering	Shaw	Vento	Hinchey	Nadler	Waters	Roukema	Solomon	Whitfield
Pickett	Shays	Visclosky	Hoyer	Neal	Watt (NC)	Roybal-Allard	Spence	Wicker
Pitts	Sherman	Walsh	Jackson-Lee	Oberstar	Waxman	Royce	Stabenow	Wolf
Pombo	Shimkus	Wamp	(TX)	Obey	Wexler	Ryun	Stearns	Wynn
Pomeroy	Shuster	Waters	Jefferson	Olver	Weygand	Salmon	Stenholm	Young (FL)
Porter	Sisisky	Watkins	John	Ortiz	Wise			
Portman	Skaggs	Watt (NC)	Johnson (WI)	Owens	Woolsey			
Poshard	Skeen	Watts (OK)	Johnson, E. B.	Pascarell	Yates			
Price (NC)	Skelton	Waxman	Kaptur	Pastor				
Pryce (OH)	Slaughter	Weldon (FL)	Kennedy (MA)	Payne				
Quinn	Smith (MI)	Weldon (PA)						
Radanovich	Smith (NJ)	Weller						
Rahall	Smith (OR)	Wexler	Aderholt	Doyle	Kelly	Bateman	Ford	McCrery
Ramstad	Smith (TX)	Weygand	Allen	Dreier	Kildee	Bliley	Fowler	Myrick
Rangel	Smith, Adam	White	Archer	Duncan	Kim	Buyer	Frank (MA)	Norwood
Redmond	Smith, Linda	Whitfield	Armey	Dunn	Kind (WI)	Christensen	Ganske	Oxley
Regula	Snowbarger	Wicker	Bachus	Edwards	King (NY)	Clement	Graham	Pallone
Reyes	Snyder	Wise	Baessler	Ehlers	Kingston	Conyers	Hilleary	Schiff
Riggs	Solomon	Wolf	Baker	Ehrlich	Kleczka	Crane	Holden	Serrano
Riley	Souder	Woolsey	Baldacci	Emerson	Klug	Cunningham	Kasich	Slaughter
Rivers	Spence	Wynn	Ballenger	English	Knollenberg	DeLay	LaTourette	Souder
Rodriguez	Spratt	Yates	Barcia	Etheridge	Kolbe	Doolittle	Leach	Stark
Roemer	Stabenow	Young (FL)	Barr	Everett	Kucinich	Ensign	Martinez	Young (AK)
Rogan	Stearns		Barrett (NE)	Ewing	LaFalce			
Rogers	Stenholm		Bartlett	Fattah	LaHood			
			Barton	Fawell	Lantos			
			Bass	Foglietta	Largent			
			Bentsen	Foley	Latham			
			Bereuter	Forbes	Lazio			
			Bilbray	Fox	Lewis (CA)			
			Bilirakis	Franks (NJ)	Lewis (KY)			
			Blagojevich	Frelinghuysen	Linder			
			Blumenauer	Gallely	Livingston			
			Blunt	Gekas	LoBiondo			
			Boehlert	Gibbons	Lofgren			
			Boehner	Gilchrest	Lucas			
			Bonilla	Gillmor	Luther			
			Bono	Gilman	Maloney (CT)			
			Borski	Goode	Manzullo			
			Boyd	Goodlatte	Mascara			
			Brady	Goodling	McCarthy (MO)			
			Bryant	Gordon	McCollum			
			Bunning	Goss	McDade			
			Burr	Granger	McDermott			
			Burton	Green	McHale			
			Callahan	Greenwood	McHugh			
			Calvert	Gutknecht	McInnis			
			Camp	Hall (TX)	McIntosh			
			Campbell	Hamilton	McIntyre			
			Canady	Hansen	McKeon			
			Cannon	Hastert	McKinney			
			Cardin	Hastings (WA)	Meehan			
			Castle	Hayworth	Metcalf			
			Chabot	Hefley	Mica			
			Chambliss	Herger	Miller (FL)			
			Chenoweth	Hill	Minge			
			Coble	Hilliard	Molinari			
			Coburn	Hinojosa	Mollohan			
			Collins	Hobson	Moran (KS)			
			Combest	Hoekstra	Morella			
			Condit	Hooley	Murtha			
			Cook	Horn	Nethercutt			
			Cooksey	Hostettler	Neumann			
			Cox	Houghton	Ney			
			Cramer	Hulshof	Northup			
			Crapo	Hunter	Nussle			
			Cubin	Hutchinson	Packard			
			Danner	Hyde	Pappas			
			Davis (FL)	Inglis	Parker			
			Davis (VA)	Istook	Paul			
			Deal	Jackson (IL)	Paxon			
			Diaz-Balart	Jenkins	Pease			
			Dickey	Johnson (CT)	Peterson (MN)			
			Dicks	Johnson, Sam	Peterson (PA)			
			Dixon	Jones	Petri			
			Dooley	Kanjorski	Pickering			

NOT VOTING—33

Bateman	Ford	McCrery
Bliley	Fowler	Myrick
Buyer	Frank (MA)	Norwood
Christensen	Ganske	Oxley
Clement	Graham	Pallone
Conyers	Hilleary	Schiff
Crane	Holden	Serrano
Cunningham	Kasich	Slaughter
DeLay	LaTourette	Souder
Doolittle	Leach	Stark
Ensign	Martinez	Young (AK)

So the motion to adjourn was not agreed to.

§85.14 PROVIDING FOR THE FURTHER CONSIDERATION OF H.R. 2160

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 193):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2160) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: page 56, line 18, through line 24; and page 68, line 12, through line 16. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. No further amendment shall be in order except amendments printed before July 22, 1997, in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII, the amendments printed in the Congressional Record and numbered 21, 22, and 23 pursuant to clause 6 of rule XXIII, and the amendment by Representative Obey of Wisconsin pending when the Committee of the Whole rose on July 22, 1997. Each amendment shall be considered as read and shall be debatable for ten minutes (except as otherwise provided in section 2 of this resolution) equally divided and controlled by the proponent and an opponent. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed

Campbell	Hostettler	Sanford
Dingell	Paul	

NOT VOTING—5

Graham	Schiff	Young (AK)
Pallone	Stark	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§85.12 MOTION TO ADJOURN

Ms. DELAURO moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

THE SPEAKER pro tempore, Mr. ROGAN, announced that the nays had it.

Ms. DELAURO demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 122
negative } Nays 279

§85.13 [Roll No. 303]
YEAS—122

Abercrombie	Bonior	Clay
Ackerman	Boswell	Clayton
Andrews	Boucher	Clyburn
Barrett (WI)	Brown (CA)	Costello
Becerra	Brown (FL)	Coyne
Berman	Brown (OH)	Cummings
Berry	Capps	Davis (IL)
Bishop	Carson	DeFazio

NAYS—279

Aderholt	Doyle	Kelly
Allen	Dreier	Kildee
Archer	Duncan	Kim
Armey	Dunn	Kind (WI)
Bachus	Edwards	King (NY)
Baessler	Ehlers	Kingston
Baker	Ehrlich	Kleczka
Baldacci	Emerson	Klug
Ballenger	English	Knollenberg
Barcia	Etheridge	Kolbe
Barr	Everett	Kucinich
Barrett (NE)	Ewing	LaFalce
Bartlett	Fattah	LaHood
Barton	Fawell	Lantos
Bass	Foglietta	Largent
Bentsen	Foley	Latham
Bereuter	Forbes	Lazio
Bilbray	Fox	Lewis (CA)
Bilirakis	Franks (NJ)	Lewis (KY)
Blagojevich	Frelinghuysen	Linder
Blumenauer	Gallely	Livingston
Blunt	Gekas	LoBiondo
Boehlert	Gibbons	Lofgren
Boehner	Gilchrest	Lucas
Bonilla	Gillmor	Luther
Bono	Gilman	Maloney (CT)
Borski	Goode	Manzullo
Boyd	Goodlatte	Mascara
Brady	Goodling	McCarthy (MO)
Bryant	Gordon	McCollum
Bunning	Goss	McDade
Burr	Granger	McDermott
Burton	Green	McHale
Callahan	Greenwood	McHugh
Calvert	Gutknecht	McInnis
Camp	Hall (TX)	McIntosh
Campbell	Hamilton	McIntyre
Canady	Hansen	McKeon
Cannon	Hastert	McKinney
Cardin	Hastings (WA)	Meehan
Castle	Hayworth	Metcalf
Chabot	Hefley	Mica
Chambliss	Herger	Miller (FL)
Chenoweth	Hill	Minge
Coble	Hilliard	Molinari
Coburn	Hinojosa	Mollohan
Collins	Hobson	Moran (KS)
Combest	Hoekstra	Morella
Condit	Hooley	Murtha
Cook	Horn	Nethercutt
Cooksey	Hostettler	Neumann
Cox	Houghton	Ney
Cramer	Hulshof	Northup
Crapo	Hunter	Nussle
Cubin	Hutchinson	Packard
Danner	Hyde	Pappas
Davis (FL)	Inglis	Parker
Davis (VA)	Istook	Paul
Deal	Jackson (IL)	Paxon
Diaz-Balart	Jenkins	Pease
Dickey	Johnson (CT)	Peterson (MN)
Dicks	Johnson, Sam	Peterson (PA)
Dixon	Jones	Petri
Dooley	Kanjorski	Pickering

question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. After a motion that the Committee rise has been rejected on a day, the Chairman of the Committee of the Whole may entertain another such motion on that day only if offered by the Chairman of the Committee on Appropriations or the majority leader or their designee. After a motion to strike out the enacting words of the bill (as described in clause 7 of rule XXIII) has been rejected, the Chairman of the Committee of the Whole may not entertain another such motion during further consideration of the bill. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. The time for debate on the following amendments shall be thirty minutes:

(1) The amendment by Representative Obey of Wisconsin pending when the Committee of the Whole rose on July 22, 1997, which shall be debatable for thirty minutes notwithstanding the time consumed on the amendment on July 22, 1997;

- (2) the amendment numbered 17;
- (3) the amendment numbered 3; and
- (4) the amendment numbered 21.

Pending consideration of said resolution,

§85.15 MOTION TO ADJOURN

Ms. JACKSON-LEE moved that the House do now adjourn.

The question being put, viva voce,
Will the House now adjourn?

The SPEAKER pro tempore, Mr. ROGAN, announced that the nays had it.

Ms. JACKSON-LEE demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 105
negative { Nays 311

§85.16 [Roll No. 304]
AYES—105

Abercrombie	Engel	Klink
Ackerman	Eshoo	Lantos
Andrews	Evans	Levin
Barrett (WI)	Farr	Lewis (GA)
Becerra	Fazio	Lowey
Berry	Filner	Maloney (NY)
Bishop	Flake	Markey
Bonior	Frost	Matsui
Boswell	Furse	McCarthy (NY)
Boucher	Gejdenson	McGovern
Brown (FL)	Gephardt	McNulty
Brown (OH)	Gonzalez	Meehan
Carson	Hall (OH)	Meek
Clay	Harman	Millender-
Clayton	Hastings (FL)	McDonald
Clyburn	Hefner	Miller (CA)
Conyers	Hinchey	Mink
Costello	Hoyer	Moakley
Coyne	Jackson-Lee	Nadler
Cummings	(TX)	Neal
Davis (IL)	Jefferson	Oberstar
DeFazio	John	Obey
DeGette	Johnson (WI)	Olver
Delahunt	Johnson, E. B.	Owens
DeLauro	Kaptur	Payne
Dellums	Kennedy (MA)	Rangel
Deutsch	Kennedy (RI)	Rodriguez
Dingell	Kennelly	Rush
Doggett	Kilpatrick	Sabo

Skaggs
Slaughter
Smith, Adam
Snyder
Tauscher
Thompson
Tierney

Aderholt
Allen
Armedy
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boyd
Brady
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fattah
Fawell
Foglietta
Foley
Forbes
Ford

Torres
Towns
Turner
Velazquez
Vento
Waters
Watt (NC)

NOES—311

Fox
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Manzullo
Martinez
Mascara
McCarthy (MO)
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis

Waxman
Wexler
Weygand
Woolsey
Wynn
Yates

McIntosh
McIntyre
McKeon
McKinney
Menendez
Metcalf
Mica
Miller (FL)
Minge
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Pascarell
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryuan
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Siskie
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda

Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent

Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Upton
Visclosky
Walsh

Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (FL)

NOT VOTING—18

Archer	Ganske	Sanders
Bateman	Leach	Schaffer, Bob
Crane	Manton	Schiff
DeLay	Norwood	Snowbarger
Fowler	Pallone	Stark
Frank (MA)	Pelosi	Young (AK)

So the motion to adjourn was not agreed to.

Accordingly,

When House Resolution 193 was considered.

After debate,

Mr. HASTINGS of Washington submitted the following amendment:

Page 2, line 17, strike "and" and all that follows through "1997" on line 19, and insert in lieu thereof: "the amendment by Representative Obey of Wisconsin pending when the Committee of the Whole rose on July 22, 1997, and one amendment by Representative Cox of California regarding assistance to the Democratic People's Republic of Korea".

Mr. HASTINGS of Washington moved the previous question on the amendment to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question on said amendment?

The SPEAKER pro tempore, Mr. ROGAN, announced that the nays had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 269
Nays 160

§85.17 [Roll No. 305]
YEAS—269

Aderholt	Camp	Doolittle
Archer	Campbell	Doyle
Armey	Canady	Dreier
Bachus	Cannon	Duncan
Baker	Carson	Dunn
Baldacci	Castle	Ehlers
Ballenger	Chabot	Ehrlich
Barr	Chambliss	Emerson
Barrett (NE)	Chenoweth	English
Bartlett	Christensen	Ensign
Bass	Coble	Everett
Bateman	Coburn	Ewing
Bereuter	Collins	Fawell
Bilbray	Combest	Foglietta
Bilirakis	Cook	Foley
Blagojevich	Cooksey	Forbes
Bliley	Cox	Ford
Blunt	Crane	Fowler
Boehlert	Crapo	Fox
Boehner	Cubin	Frank (MA)
Bonilla	Cummings	Franks (NJ)
Bono	Cunningham	Frelinghuysen
Boswell	Davis (FL)	Gallegly
Brady	Davis (VA)	Ganske
Brown (FL)	Deal	Gekas
Bryant	DeGette	Gibbons
Bunning	Delahunt	Gilchrest
Burr	DeLay	Gillmor
Burton	Dellums	Gilman
Buyer	Diaz-Balart	Goode
Callahan	Dickey	Goodlatte
Calvert	Dicks	Goodling

Goss	Manzullo	Royce	Price (NC)	Sherman	Thurman	Hyde	Nethercutt	Sessions
Graham	Markey	Rush	Rangel	Sisisky	Tierney	Inglis	Neumann	Shadegg
Granger	McCollum	Ryun	Reyes	Skaggs	Torres	Istook	Ney	Shaw
Greenwood	McCrery	Salmon	Rodriguez	Skelton	Towns	Jenkins	Northup	Shays
Gutknecht	McDade	Sanford	Roemer	Slaughter	Turner	Johnson (CT)	Norwood	Shimkus
Hall (OH)	McHugh	Sawyer	Rothman	Smith, Adam	Visclosky	Johnson, Sam	Nussle	Shuster
Hamilton	McInnis	Saxton	Roybal-Allard	Stabenow	Watt (NC)	Jones	Oxley	Skeen
Hansen	McIntosh	Scarborough	Sabo	Stenholm	Waxman	Kasich	Packard	Smith (MI)
Hastert	McKeon	Schaefer, Dan	Sanchez	Stokes	Wexler	Kelly	Pappas	Smith (NJ)
Hastings (WA)	McKinney	Schaffer, Bob	Sanders	Strickland	Weygand	Kim	Parker	Smith (OR)
Hayworth	Metcalf	Sensenbrenner	Sandlin	Tanner	Woolsey	King (NY)	Paul	Smith (TX)
Hefley	Mica	Sessions	Schumer	Tauscher	Wynn	Kingston	Paxon	Smith, Linda
Herger	Miller (FL)	Shadegg	Scott	Taylor (MS)	Yates	Klug	Pease	Snowbarger
Hill	Molinari	Shaw	Serrano	Thompson		Knollenberg	Peterson (PA)	Solomon
Hilleary	Mollohan	Shays				Kolbe	Petri	Souder
Hobson	Moran (KS)	Shimkus				LaHood	Pickering	Spence
Hoekstra	Morella	Shuster	Barton	Schiff	Young (AK)	Largent	Pickett	Stearns
Holden	Murtha	Skeen	Pallone	Stark		Latham	Pitts	Stump
Horn	Myrick	Smith (MI)				LaTourette	Pombo	Sununu
Hostettler	Nadler	Smith (NJ)	NOT VOTING—5					
Houghton	Nethercutt	Smith (OR)	So the previous question on the					
Hoyer	Neumann	Smith (TX)	amendment was ordered.					
Hulshof	Ney	Smith, Linda	By unanimous consent, the foregoing					
Hunter	Northup	Snowbarger	amendment was modified as follows					
Hutchinson	Norwood	Snyder	and was considered adopted:					
Hyde	Nussle	Solomon	Page 2, line 17, strike "and" and all that					
Inglis	Ortiz	Souder	follows through "1997" on line 19, and insert					
Istook	Oxley	Spence	in lieu thereof: "the amendment by Rep-					
Jackson (IL)	Packard	Spratt	resentative Obey of Wisconsin pending when					
Jackson-Lee	Pappas	Stearns	the Committee of the Whole rose on July 22,					
(TX)	Parker	Stump	1997, and one amendment by Representative					
Jenkins	Pastor	Stupak	Cox of California regarding assistance to the					
Johnson (CT)	Paul	Sununu	Democratic People's Republic of Korea, and					
Johnson (WI)	Paxon	Talent	the amendment printed in the Congressional					
Johnson, Sam	Pease	Tauzin	Record and numbered 35 pursuant to clause 6					
Jones	Peterson (PA)	Taylor (NC)	of rule XXIII".					
Kanjorski	Petri	Thomas	By unanimous consent, the previous					
Kasich	Pickering	Thornberry	question was ordered on the resolution,					
Kelly	Pitts	Thune	as amended, to its adoption or rejection.					
Kim	Pombo	Tiahrt	The question being put, viva voce,					
King (NY)	Pomeroy	Traficant	Will the House agree to said resolution,					
Kingston	Porter	Upton	as amended?					
Klink	Portman	Velazquez	The SPEAKER pro tempore, Mr.					
Klug	Pryce (OH)	Vento	ROGAN, announced that the yeas had					
Knollenberg	Quinn	Walsh	it.					
Kolbe	Radanovich	Wamp	Mr. OBEY demanded a recorded vote					
LaHood	Rahall	Waters	on agreeing to said resolution, as					
Largent	Ramstad	Watkins	amended, which demand was supported					
Latham	Redmond	Watts (OK)	by one-fifth of a quorum, so a recorded					
LaTourette	Regula	Weldon (FL)	vote was ordered.					
Lazio	Riggs	Weldon (PA)	The vote was taken by electronic de-					
Leach	Riley	Weller	vice.					
Lewis (CA)	Rivers	White	It was decided in the { Yeas 226					
Lewis (KY)	Rogan	Whitfield	affirmative { Nays 202					
Linder	Rogers	Wicker						
Livingston	Rohrabacher	Wise						
LoBiondo	Ros-Lehtinen	Wolf						
Lucas	Roukema	Young (FL)						

NAYS—160

Abercrombie	Engel	Levin
Ackerman	Eshoo	Lewis (GA)
Allen	Etheridge	Lipinski
Andrews	Evans	Lofgren
Baesler	Farr	Lowey
Barcia	Fattah	Luther
Barrett (WI)	Fazio	Maloney (CT)
Becerra	Filner	Maloney (NY)
Bentsen	Flake	Manton
Berman	Frost	Martinez
Berry	Furse	Mascara
Bishop	Gejdenson	Matsui
Blumenauer	Gephardt	McCarthy (MO)
Bonior	Gonzalez	McCarthy (NY)
Borski	Gordon	McDermott
Boucher	Green	McGovern
Boyd	Gutierrez	McHale
Brown (CA)	Hall (TX)	McIntyre
Brown (OH)	Harman	McNulty
Capps	Hastings (FL)	Meehan
Cardin	Hefner	Meek
Clay	Hilliard	Menendez
Clayton	Hinchey	Millender-
Clement	Hinojosa	McDonald
Clyburn	Hooley	Miller (CA)
Condit	Jefferson	Minge
Conyers	John	Mink
Costello	Johnson, E. B.	Moakley
Coyne	Kaptur	Moran (VA)
Cramer	Kennedy (MA)	Neal
Danner	Kennedy (RI)	Oberstar
Davis (IL)	Kennelly	Obey
DeFazio	Kildee	Olver
DeLauro	Kilpatrick	Owens
Deutsch	Kind (WI)	Pascrell
Dingell	Klecza	Payne
Dixon	Kucinich	Pelosi
Doggett	LaFalce	Peterson (MN)
Dooley	Lampson	Pickett
Edwards	Lantos	Poshard

It was decided in the { Yeas 226
affirmative { Nays 202

185.18

[Roll No. 306]

AYES—226

Aderholt	Chambliss	Fox
Archer	Chenoweth	Franks (NJ)
Armey	Christensen	Frelinghuysen
Bachus	Coble	Gallegly
Baker	Coburn	Ganske
Ballenger	Collins	Gekas
Barr	Combest	Gibbons
Barrett (NE)	Cook	Gilchrest
Bartlett	Cooksey	Gillmor
Bass	Cox	Gilman
Bateman	Crane	Goode
Bereuter	Crapo	Goodlatte
Bilbray	Cubin	Goodling
Bilirakis	Cunningham	Goss
Bliley	Davis (VA)	Graham
Blunt	Deal	Granger
Boehrlert	DeLay	Greenwood
Boehner	Diaz-Balart	Gutknecht
Bonilla	Dickey	Hansen
Bono	Doolittle	Hastert
Brady	Dreier	Hastings (WA)
Bryant	Duncan	Hayworth
Bunning	Dunn	Hefley
Burr	Ehlers	Herger
Burton	Ehrlich	Hill
Buyer	Emerson	Hilleary
Callahan	English	Hobson
Calvert	Ensign	Hoekstra
Camp	Everett	Horn
Campbell	Ewing	Hostettler
Canady	Fawell	Houghton
Cannon	Foley	Hulshof
Castle	Forbes	Hunter
Chabot	Fowler	Hutchinson

Abercrombie	Farr	Maloney (NY)
Ackerman	Fattah	Manton
Allen	Fazio	Markey
Andrews	Filner	Martinez
Baesler	Flake	Mascara
Baldacci	Foglietta	Matsui
Barcia	Ford	McCarthy (MO)
Barrett (WI)	Frank (MA)	McCarthy (NY)
Becerra	Frost	McDermott
Bentsen	Furse	McGovern
Berman	Gejdenson	McHale
Berry	Gephardt	McIntyre
Bishop	Gonzalez	McKinney
Blagojevich	Gordon	McNulty
Blumenauer	Green	Meehan
Bonior	Gutierrez	Meek
Borski	Hall (OH)	Menendez
Boswell	Hall (TX)	Millender-
Boucher	Hamilton	McDonald
Boyd	Harman	Miller (CA)
Brown (CA)	Hastings (FL)	Minge
Brown (FL)	Hefner	Mink
Brown (OH)	Hilliard	Moakley
Capps	Hinchey	Mollohan
Cardin	Hinojosa	Moran (VA)
Carson	Holden	Murtha
Clay	Hooley	Nadler
Clayton	Hoyer	Neal
Clement	Jackson (IL)	Oberstar
Clyburn	Jackson-Lee	Obey
Condit	(TX)	Olver
Conyers	Jefferson	Ortiz
Costello	John	Owens
Coyne	Johnson (WI)	Pascrell
Cramer	Johnson, E. B.	Pastor
Cummings	Kanjorski	Payne
Danner	Kaptur	Pelosi
Davis (FL)	Kennedy (MA)	Peterson (MN)
Davis (IL)	Kennedy (RI)	Pomeroy
DeFazio	Kennelly	Poshard
DeLauro	Kildee	Price (NC)
Deutsch	Kilpatrick	Rahall
Dingell	Kind (WI)	Rangel
Dixon	Klecza	Reyes
Doggett	Klink	Rivers
Dooley	Kucinich	Rodriguez
Edwards	LaFalce	Roemer
	Lampson	Rothman
	Lantos	Roybal-Allard
	Levin	Rush
	Lewis (GA)	Sabo
	Lipinski	Sanchez
	Lofgren	Sanders
	Lowey	Sandlin
	Luther	Sawyer
	Maloney (CT)	Schumer

NOES—202

Scott	Stokes	Velazquez
Serrano	Strickland	Vento
Sherman	Stupak	Visclosky
Sisisky	Tanner	Waters
Skaggs	Tauscher	Watt (NC)
Skelton	Taylor (MS)	Waxman
Slaughter	Thompson	Wexler
Smith, Adam	Thurman	Weygand
Snyder	Tierney	Wise
Spratt	Torres	Woolsey
Stabenow	Towns	Wynn
Stenholm	Turner	Yates

NOT VOTING—6

Barton	Porter	Stark
Pallone	Schiff	Young (AK)

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

§85.19 PROVIDING FOR THE CONSIDERATION OF H.R. 2203

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 105-198) the resolution (H. Res. 194) providing for the consideration of the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

§85.20 COMMITTEE ELECTION—MAJORITY

Mr. HASTINGS of Washington, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 196):

Resolved, That the following Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on Banking and Financial Services: Mr. Redmond.

Committee on National Security: Mr. Redmond.

Committee on Small Business: Mr. Pitts.

Committee on Veterans' Affairs: Mr. Redmond.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

§85.21 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BARTON, for today after 7 p.m. until 8:30 p.m., July 24; and

To Mr. STARK, for today and the balance of the week.

And then,

§85.22 ADJOURNMENT

On motion of Mr. WALSH, at 7 o'clock and 40 minutes p.m., the House adjourned.

§85.23 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 194. Resolution

providing for consideration of the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes (Rept. No. 105-198). Referred to the House Calendar.

§85.24 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. DEFAZIO (for himself, Ms. FURSE, Ms. HOOLEY of Oregon, Mr. BLUMENAUER, Mr. DELLUMS, Mr. BONIOR, Mr. BROWN of California, Mrs. MALONEY of New York, Mr. BARRETT of Wisconsin, Mr. HINCHEY, and Mr. TRAFICANT):

H.R. 2222. A bill to amend the Federal Water Pollution Control Act relating to Federal facilities pollution control; to the Committee on Transportation and Infrastructure.

By Mr. HAYWORTH:

H.R. 2223. A bill to amend the Act popularly known as the Recreation and Public Purposes Act to authorize transfers of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools, and for other purposes; to the Committee on Resources.

By Mr. ACKERMAN:

H.R. 2224. A bill to amend title 10, United States Code, to extend commissary and exchange store privileges to veterans with a service-connected disability and to certain dependents of such veterans; to the Committee on National Security.

By Mr. ENSIGN (for himself and Mr. GIBBONS):

H.R. 2225. A bill to designate the Federal building and United States courthouse to be constructed on Las Vegas Boulevard between Bridger Avenue and Clark Avenue in Las Vegas, NV, as the "Lloyd D. George Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. FAWELL (for himself, Mr. PAYNE, and Mr. GOODLING):

H.R. 2226. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to clarify treatment of investment managers under such title; to the Committee on Education and the Workforce.

By Mr. LAZIO of New York:

H.R. 2227. A bill to amend the National Flood Insurance Act of 1968 to reauthorize the national flood insurance program, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. MILLER of California (for himself, Mr. MARTINEZ, Mr. FORD, Mr. STARK, Mr. OBERSTAR, and Mr. FALEOMAVAEGA):

H.R. 2228. A bill to increase the number of qualified teachers; to the Committee on Education and the Workforce.

By Mr. PASCRELL:

H.R. 2229. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to penalties for powder cocaine and crack cocaine offenses; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS:

H.R. 2230. A bill to amend the Congressional Budget Act of 1974 to establish a point of order that precludes raising revenues to enforce the bipartisan budget agreement if there is a revenue shortfall in any of fiscal

years 1998 through 2002; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PRYCE of Ohio (for herself, Mr. PORTMAN, Mrs. JOHNSON of Connecticut, and Mr. CHRISTENSEN):

H.R. 2231. A bill to amend the Internal Revenue Code of 1986 to provide a sound budgetary mechanism for financing health and death benefits of retired coal miners while ensuring the long-term fiscal health and solvency of such benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. ROYCE:

H.R. 2232. A bill to provide for increased international broadcasting activities to China; to the Committee on International Relations.

By Mr. SAXTON (for himself and Mr. ABERCROMBIE):

H.R. 2233. A bill to assist in the conservation of coral reefs; to the Committee on Resources.

By Mr. SCHUMER (for himself and Mr. GONZALEZ):

H.R. 2234. A bill to amend the Electronic Fund Transfer Act to eliminate confusion about consumer liability for unauthorized transactions involving debit cards that can be used like credit cards, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. RAHALL (for himself, Mr. MILLER of California, Mr. VENTO, Mr. ROMERO-BARCELO, Mr. KENNEDY of Rhode Island, Mr. DEFAZIO, Mr. ABERCROMBIE, Mr. PICKETT, Mr. ORTIZ, Ms. CHRISTIAN-GREEN, Mr. FALEOMAVAEGA, and Mr. HINCHEY):

H. Con. Res. 119. Concurrent resolution expressing the sense of the Congress that the health, safety and general welfare of the residents of the Nation's coalfields should continue to be enhanced by the implementation of the Surface Mining Control and Reclamation Act of 1977 by State and Federal regulatory authorities, and that Congress hereby reaffirms the goals of the Act on its 20th anniversary, August 3, 1997; to the Committee on Resources.

By Mr. GILMAN (for himself, Mr. HAMILTON, Mr. BERUTER, Mr. PORTER, Mr. FALEOMAVAEGA, Mr. BERMAN, and Mr. LEACH):

H. Res. 195. Resolution concerning the crisis in Cambodia; to the Committee on International Relations.

By Mr. HASTINGS of Washington:

H. Res. 196. Resolution designating majority membership to certain standing committees of the House. Considered and agreed to.

§85.25 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. DICKEY and Mr. SHAYS.

H.R. 45: Mrs. LOWEY.

H.R. 125: Mr. WICKER.

H.R. 176: Mr. CLEMENT, Mr. HORN, and Mr. DAVIS of Illinois.

H.R. 192: Mr. LEWIS of Georgia.

H.R. 230: Mr. GORDON.

H.R. 339: Mr. GIBBONS.

H.R. 372: Mrs. MORELLA, Mr. RAHALL, Mr. BROWN of California, Mr. FOX of Pennsylvania, Mr. BONIOR, Mr. DAVIS of Virginia, Mr. BORSKI, Mr. CUMMINGS, Mr. FRANK of Massachusetts, Mr. SANDLIN, Mr. ACKERMAN, and Mr. FATTAH.

H.R. 450: Mr. FRANKS of New Jersey.

H.R. 551: Mr. LEWIS of Georgia.

H.R. 631: Mr. FOX of Pennsylvania and Mrs. EMERSON.

H.R. 687: Mr. KIND of Wisconsin, Mr. STRICKLAND, and Mr. EVANS.

H.R. 696: Mr. RUSH and Ms. WOOLSEY.

H.R. 774: Mrs. LOWEY and Mr. DAVIS of Illinois.

H.R. 777: Mr. BERMAN, Mr. BORSKI, Mr. GORDON, and Mr. MORAN of Virginia.

H.R. 857: Mr. HUTCHINSON, Mr. HALL of Texas, Mr. PETERSON of Minnesota, and Mr. KIM.

H.R. 859: Mr. PAUL.

H.R. 875: Mr. SANDLIN, Mr. SHIMKUS, Mr. HINCHEY, and Mr. RODRIGUEZ.

H.R. 916: Mr. GRAHAM, Mr. SABO, and Mr. SHERMAN.

H.R. 967: Mr. GIBBONS, Mr. SAM JOHNSON, Mr. MCINTOSH, Mr. SPENCE, Mr. ROYCE, Mr. HUNTER, and Mr. SHADEGG.

H.R. 977: Mr. BOEHLERT.

H.R. 992: Mr. SOLOMON.

H.R. 1054: Mr. KIM, Mr. BURR of North Carolina, and Mr. LEWIS of Georgia.

H.R. 1126: Mr. PRICE of North Carolina and Mr. DAVIS of Illinois.

H.R. 1232: Mr. ROHRBACHER and Mr. POSHARD.

H.R. 1285: Mr. PASTOR.

H.R. 1296: Mr. EHLERS.

H.R. 1350: Mrs. EMERSON and Mr. CAMPBELL.

H.R. 1398: Mr. HOEKSTRA.

H.R. 1427: Ms. KILPATRICK, Mr. COYNE, Mr. MEEHAN, and Mr. SAXTON.

H.R. 1440: Mr. TIERNEY.

H.R. 1493: Mr. HUNTER and Mr. TRAFICANT.

H.R. 1507: Mr. ANDREWS, Ms. KILPATRICK, Ms. BROWN of Florida, Mr. NADLER, Mr. SAWYER, Mr. BROWN of Ohio, Mr. WAXMAN, and Ms. ESHOO.

H.R. 1541: Mr. SHAYS.

H.R. 1542: Mr. SISISKY and Mr. DEAL of Georgia.

H.R. 1544: Mr. SENSENBRENNER, Mr. STARK, and Mr. WICKER.

H.R. 1578: Mrs. MORELLA.

H.R. 1579: Mrs. MORELLA.

H.R. 1619: Mrs. EMERSON.

H.R. 1679: Mr. DEUTSCH.

H.R. 1680: Mr. FROST, Mr. SNYDER, and Mr. SOUDER.

H.R. 1719: Mr. CHRISTENSEN.

H.R. 1814: Mrs. LOWEY and Ms. FURSE.

H.R. 1839: Mr. COX of California, Mr. RUSH, Mr. WISE, and Mr. WHITFIELD.

H.R. 1903: Mr. WELDON of Pennsylvania and Mr. LAMPSON.

H.R. 1970: Mr. RUSH.

H.R. 1984: Mr. BAESLER, Mr. GOODLATTE, Mr. BLUNT, Mr. MORAN of Kansas, Mr. RYUN, Mr. SOUDER, Mr. BARR of Georgia, Mr. HASTINGS of Washington, Mr. COLLINS, Mr. BUYER, Mr. PITTS, Mr. STUMP, Mr. GOODE, Mr. TURNER, and Mr. GRAHAM.

H.R. 1993: Mr. MCGOVERN.

H.R. 2003: Mr. ROEMER.

H.R. 2005: Mr. LOBIONDO.

H.R. 2023: Mr. DAVIS of Illinois.

H.R. 2064: Mr. BRADY and Mr. SESSIONS.

H.R. 2120: Mr. KANJORSKI, Mr. SCHUMER, Mr. VENTO, Mr. UNDERWOOD, and Mr. STARK.

H.R. 2125: Mr. SAXTON.

H.R. 2129: Mr. FRANK of Massachusetts, Ms. FURSE, Mr. FROST, Mr. REGULA, Ms. KAPTUR, Mr. JOHNSON of Wisconsin, Mr. LIPINSKI, and Mr. MASCARA.

H.R. 2153: Mr. LAFALCE.

H.R. 2163: Mr. MCINTOSH.

H.R. 2185: Ms. ROYBAL-ALLARD.

H.R. 2200: Mr. SERRANO and Mr. TORRES.

H.R. 2202: Mr. MCCOLLUM, Mr. STARK, Mr. COOK, Mr. SESSIONS, Mr. SHAYS, Mr. BENTSEN, Mr. HOBSON, Mrs. KELLY, Mr. GONZALEZ, Mr. DAVIS of Florida, Mr. WALSH, Ms. STABENOW, Mr. McDERMOTT, Ms. PRYCE of Ohio, Mr. MARKEY, Mr. DAVIS of Illinois, Mr. CARDIN, Mr. SKEEN, Mr. CLYBURN, Mr. BILIRAKIS, Ms. MCKINNEY, Mr. GEKAS, and Mr. FATTAH.

H. Con. Res. 13: Mr. GUTIERREZ and Mr. OBEY.

H. Con. Res. 55: Mr. ROGAN and Mr. DAVIS of Illinois.

H. Con. Res. 111: Mr. BOYD, Mr. KUCINICH, Ms. LOFGREN, Ms. HARMAN, Mr. DREIER, Mr. CLYBURN, Mr. LEVIN, Mr. ETHERIDGE, Mr. HINCHEY, Mr. CANADY of Florida, Mr. SCOTT, Mr. GORDON, Mr. CLEMENT, Mr. LAMPSON, Mr. MARTINEZ, Mr. GILMAN, Ms. STABENOW, and Mr. EHLERS.

H. Con. Res. 112: Mr. WATTS of Oklahoma, Mr. KENNEDY of Massachusetts, Mr. MARKEY, Mr. KING of New York, Ms. KAPTUR, and Mr. MCNULTY.

H. Con. Res. 116: Mr. BROWN of Ohio, Ms. SLAUGHTER, Mr. LANTOS, Ms. WOOLSEY, Mr. COX of California, and Mr. DEFazio.

H. Res. 37: Mrs. EMERSON, Mr. GUTIERREZ, and Mr. BARRETT of Wisconsin.

H. Res. 139: Mr. THUNE.

H. Res. 182: Mr. STUPAK, Mr. KENNEDY of Rhode Island, and Mr. MARKEY.

H. Res. 190: Mr. HUNTER.

§185.26 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2003: Mr. EDWARDS and Mr. ENGLISH of Pennsylvania.

THURSDAY, JULY 24, 1997 (86)

The House was called to order by the SPEAKER.

§186.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, July 23, 1997.

Pursuant to clause 1, rule I, the Journal was approved.

§186.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

4327. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Cymoxanil; Pesticide Tolerances for Emergency Exemptions [OPP-300514; FRL-5730-4] (RIN: 2070-AB78) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4328. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Pyriproxyfen; Pesticide Tolerances for Emergency Exemptions [OPP-300518; FRL-5731-9] (RIN: 2070-AB78) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4329. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Dimethomorph; Pesticide Tolerances for Emergency Exemptions [OPP-300513; FRL-5730-3] (RIN: 2070-AB78) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4330. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's "Major" final rule—Sodium Salt of Acifluorfen; Pesticide Tolerances for Emergency Exemptions [OPP-300516; FRL-5732-3] (RIN: 2070-AB78) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4331. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 11-97 requesting Final Authority (RFA) to conclude a Memorandum of Understanding (MOU) with Canada related to the Joint Strike Fighter (JSF) Preferred Weapon System Concept, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

4332. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Federal Employees Health Benefits Program: Opportunities to Enroll and Change Enrollment (RIN: 3206-AH46) received July 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4333. A letter from the the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives, pursuant to 2 U.S.C. 703(d)(1) and Rule XLIV, clause 1, of the House Rules; (H. Doc. No. 105-110); to the Committee on House Oversight and ordered to be printed.

4334. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Deep-water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska [Docket No. 961126334-7025-02, I.D. 071897A] received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4335. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska [Docket No. 961126334-7025-02; I.D. 071897B] received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4336. A letter from the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, Department of Commerce, transmitting the Department's final rule—Revision of Patent and Trademark Fees for Fiscal Year 1998 (Patent and Trademark Office) [Docket No. 970410086-7174-02] (RIN: 0651-AA92) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4337. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Acquisition of Citizenship; Equal Treatment of Women in Conferring Citizenship on Children Born Abroad [INS No. 1736-95] (RIN: 1115-AE19) received July 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4338. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Notice of Safety Directive 97-1 (Federal Railroad Administration) (RIN: 2130-XX01) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4339. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area; Delaware Bay and River, Salem River, Christina River, and Schuylkill River (Coast Guard) [CGD 05-96-010] (RIN: 2115-AE84) received July 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4340. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulation; Naval Air Station Whidbey Island Air Show, Puget Sound, Washington (Coast Guard) [CGD13-97-019] (RIN: 2115-AA97) received July 24, 1997, pursuant to 5